

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

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|---|----------------------|---|--|
| INITIAL) | | GRADE A1C | |
| TYPE GEN | | PERSONAL APPEARANCE | X RECORD REVIEW |
| COUNSEL | | NAME OF COUNSEL AND OR ORGANIZATION | ADDRESS AND OR ORGANIZATION OF COUNSEL |
| YES | No | | |
| | X | | |
| MEMBER SITTING | | VOTE OF THE BOARD | |
| | | HON | GEN |
| | | UOTHC | OTHER |
| | | | DENY |
| | | | X |
| | | | X |
| | | | X |
| | | | X |
| | | | X |
| ISSUES | INDEX NUMBER | EXHIBITS SUBMITTED TO THE BOARD | |
| A93.09 | A49.00 | 1 ORDER APPOINTING THE BOARD | |
| | | 2 APPLICATION FOR REVIEW OF DISCHARGE | |
| | | 3 LETTER OF NOTIFICATION | |
| | | 4 BRIEF OF PERSONNEL FILE | |
| | | COUNSEL'S RELEASE TO THE BOARD | |
| | | ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE | |
| | | TAPE RECORDING OF PERSONAL APPEARANCE | |
| HEARING DATE | CASE NUMBER | | |
| 29 Dec 2005 | FD-2005-00288 | | |
| APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE | | | |
| <p>Case heard at Washington, D.C.</p> <p>Advise applicant of the decision of the Board, the right to a personal appearance with/without counsel, and the right to submit an application to the AFBCMR.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p> | | | |
| SIGNATURE OF BOARD MEMBER | | | |
| INDORSEMENT | | DATE: 12/29/2005 | |
| TO: SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742 | | FROM: SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002 | |

| AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE | CASE NUMBER FD-2005-00288 |
|---|-------------------------------------|
| <p>GENERAL: The applicant appeals for upgrade of discharge to honorable, change the reason and authority for the discharge, and change the reenlistment code.</p> <p>The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p>FINDINGS: Upgrade of discharge, change of reason and authority for discharge, and change of reenlistment code are denied.</p> <p>The Board finds that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety that would justify a change of discharge.</p> <p>ISSUE: Applicant does not contest his discharge, he states he wants to rejoin the military and believes in his maturity and growth since his discharge. The records indicated the applicant received three Letters of Reprimand, three Letters of Counseling, one Memorandum for Record and nine AETC Forms 341 for various acts of misconduct to include non-compliance with Air Force standards, disobeying a direct order, failing room inspection, missing details, not having a flashlight in formation, failure to meet performance standards, lack of motivation, inability to follow instructions, failure to maintain accounting of materials, lack of responsibility and compliance with security policies, and sleeping in class. In addition, the applicant was disenrolled from technical training twice. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The characterization of the discharge received by the applicant was found to be appropriate.</p> <p>CONCLUSIONS: The Discharge Review Board concludes that the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority and that the applicant was provided full administrative due process.</p> <p>In view of the foregoing findings the Board further concludes that there exists no legal or equitable basis for upgrade of discharge, thus the applicant's discharge should not be changed.</p> <p>Attachment: Examiner's Brief</p> | |

DEPARTMENT OF THE AIR FORCE
AIR FORCE DISCHARGE REVIEW BOARD
ANDREWS AFB, MD

[REDACTED]
(Former AMN) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Goodfellow AFB, TX on 17 Sep 98 UP AFI 36-3208, para 5.26 (Unsatisfactory Performance). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 11 Jun 79. Enlmt Age: 18 3/12. Disch Age: 19 3/12. Educ: HS DIPL. AFQT: N/A. A-77, E-95, G-88, M-48. PAFSC: 1N011 - Student. DAS: 10 Jun 98.

b. Prior Sv: (1) AFRes 23 Sep 97 - 13 Jan 98 (3 months 21 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 14 Jan 98 for 4 yrs. Svd: 00 Yrs 08 Mo 05 Das, all AMS.

b. Grade Status: Amn - 14 Jul 98

c. Time Lost: None.

d. Art 15's: None.

e. Additional: AETC 125A, 27 AUG 98 - Training Course Elimination (Course 1N031)

LOR, 25 AUG 98 - Non compliance with Air Force standards.

MFR, 24 AUG 98 - Disobeying a direct order.

AETC 341, 19 AUG 98 - Failed room inspection.

AETC 341, 19 AUG 98 - Missed details and AETC 341 improperly filled out.

AETC 341, 17 AUG 98 - Failed to have flashlight in formation or 2 AETC 341s when instructor requested them.

AETC 341, 13 AUG 98 - Failed room Inspection.

LOC, 13 AUG 98 - Failure to meet performance standards.

LOR, 07 AUG 98 - Lack of motivation, inability to follow instructions, and failure to maintain accounting of materials.

LOR, 29 JUL 98 - Lack of responsibility and compliance with security policies.

AETC 341, 25 JUL 98 - Flashlight not operational.

AETC 341, 23 JUL 98 - Missed CQ Briefing.

LOC, 23 JUL 98 - Misplacing Block III handout.

AETC 341, 21 JUL 98 - Missed mandatory formation.

AETC 341, 21 JUL 98 - AETC Forms 341 not properly fill out.

AETC 341, 21 Jul 98 - AETC Forms 341 not in possession.

LOC, 20 JUL 98 - Late to formation, failed room inspection,
and failure to sign the CQ Schedule.

LOC, 13 JUL 98 - Failure to keep track of study guide and
sleeping in class.

AETC 125A, 27 MAY 98 - Elimination from training, (Course
3C231), but recommend for
retraining.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (00) Yrs (11) Mos (24) Das
TAMS: (00) Yrs (08) Mos (04) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 18 Jul 05.

(Change Discharge to Honorable, and to Change the RE Code, Reason and
Authority for Discharge)

Issue 1: Because of desire to rejoin the military and belief in my maturity
and growth since discharge.

ATCH

None.

22AUG05/ia



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

FD2005-00288

31 Aug 98

MEMORANDUM FOR [REDACTED]

FROM: 315 TRS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Unsatisfactory Performance. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.26. If my recommendation is approved, your service will be characterized as honorable or general. I am recommending that your service be characterized as General.

2. My reasons for this action are:

a. You failed to make satisfactory progress in a required training program. Specifically, you failed block exams III-1 and III-2 with scores of 58% and 68%—minimum passing is 70%—and progress checks II-4 and III-8. As a result, you were disenrolled from your technical training course on 26 Aug 98. Prior to disenrollment, you were counseled concerning your academic failure and received 4.5 hours of Special Individualized Assistance. The squadron's efforts to improve your performance have been unsuccessful.

b. You have failed to meet Air Force standards on numerous occasions:

(1) On 9 Jul 98, you were late to formation. On 15 Jul 98, your room failed inspection. On 16 Jul 98, you failed to sign the CQ Schedule. For these violations, you received AETC Forms 341 and a Letter of Counseling (LOC) on 20 Jul 98.

(2) On 9 and 10 Jul 98, you failed to keep track of your study guide and were sleeping during class. On 13 Jul 98, you again did not have your study guide in your possession. For these incidents, you received a LOC on 13 Jul 98.

(3) On 21 Jul 98, you violated the Phase Program by failing to have filled-out Forms 341 in your possession and you did not properly fill out the AETC Form 32 properly.

You also missed casual formation at 0700. On 23 Jul 98, you missed your CQ briefing. On 25 Jul 98, your flashlight was not operational. For these violations you received AETC Forms 341.

(4) On 23 Jul 98, you received a LOC for losing your study materials. On 29 Jul 98, you received a LOR for a security violation.

(5) On 7 Aug 98, you received a Letter of Reprimand (LOR) for failing to perform your duties as ordered. On 13 Aug 98, you received a LOC for continuing to fail to perform your duties.

(6) On 13 Aug 98, your room failed inspection. On 17 Aug 98, you failed to have flashlight or 341's on your person. For these violations, you received AETC Forms 341.

(7) On 24 Aug 98, you disobeyed a direct order to replace your rank insignia on your BDU's, for which you were counseled and received an AETC Form 341.

(8) On 19 Aug 98, your room failed inspection, you missed details, and your 341 was improperly filled out. For these violations, you received AETC Forms 341.

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or a higher authority will decide whether you will be discharged or retained in the Air Force, and if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force and any special pay, bonus, or education assistance funds may be subject to recoupment.

4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult Captain [REDACTED] at 09:00 on 1 Sep 98. You may consult civilian counsel at your own expense.

5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 1 Sep 98 unless you request and receive an extension for good cause shown. I will send them to the separation authority.

6. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.

7. You have been scheduled for a medical examination. You must report to the Physical Exams Section of the Goodfellow Clinic at 8:00 on 9 Sep 98 for the examination.

8. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use in the Unit Orderly Room.

 , Lt Col, USAF
Commander

Attachments:

1. AETC Forms 341
2. AETC Forms 341
3. LOR, 25 Aug 98
4. RMT, 22 Aug 98
5. Disobeying a direct order, 24 Aug 98
6. AETC Forms 341
7. LOC, 13 Aug 98
8. LOR, 7 Aug 98
9. LOR, 29 Jul 98
10. AETC Forms 341
11. LOC, 23 Jul 98
12. AETC Forms 341
13. LOC, 20 Jul 98
14. LOC, 13 Jul 98
15. AETC Forms 341
16. Academic Training Records
17. Airman's receipt of notification memorandum