

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) _____	GRADE SRA	AFSN/SSAN _____
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TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
YES	No	
	X	

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTIC	OTHER	DENY
					X
					X
					X
					X
					X

ISSUES <b>A94.53</b>	INDEX NUMBER <b>A67.10</b>	<b>EXHIBITS SUBMITTED TO THE BOARD</b> 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
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HEARING DATE <b>28 Jul 2006</b>	CASE NUMBER <b>FD-2005-00143</b>	
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APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

Case heard in Washington, D.C.

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

Names and votes will be made available to the applicant at the applicant's request.

SIGNATURE OF RECORDER	SIGNATURE OF BOARD PRESIDENT

INDORSEMENT DATE: 8/24/2006

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
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2005-00143**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable.

The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.

The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.

**FINDINGS:** Upgrade of discharge is denied.

The Board finds the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any that would justify a change of discharge.

**ISSUE:**

The applicant submitted no issues and requested that the review be completed based on the available service record. The records indicated the applicant received an Article 15 and four Letters of Reprimand for misconduct. The Article 15 was for failure to go at time prescribed to appointed place of duty; wrongfully consuming alcohol eight hours before duty; and for being found drunk on duty as a response force leader. Applicant was punished with a suspended reduction in grade to airman first class, forfeiture of pay and a reprimand. He also received Letters of Reprimand for failure to go, being late for work and failure to attend flight training. 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.

**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.

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.

Attachment:  
Examiner's Brief

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

(Former SRA) (HGH SRA)

**1. MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Moody AFB, GA on 3 Dec 04 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

**2. BACKGROUND:**

a. DOB: 26 Jun 82. Enlmt Age: 18 3/12. Disch Age: 22 5/12. Educ: HS DIPL. AFQT: N/A. A-40, E-28, G-39, M-21. PAFSC: 3P051 - Security Forces Journeyman. DAS: 15 Mar 04.

b. Prior Sv: (1) AFRes 11 Oct 00 - 29 Aug 01 (10 mos 16 das) (Inactive).

**3. SERVICE UNDER REVIEW:**

a. Enlisted as AB 28 Aug 01 for 6 years. Svd: 03 Yrs 03 Mo 06 Das, all AMS.

b. Grade Status: SrA - 15 Feb 04  
A1C - 12 Oct 01

c. Time Lost: None.

d. Art 15's: (1) 16 Nov 04, Moody AFB, GA - Article 86. You, did, on or about 31 Oct 04, without authority, fail to go at the time prescribed to your appointment place of duty. Article 92. You, did, on or about 31 Oct 04, fail to obey a lawful general regulation, to wit: paragraph 2.12.4, AFI 31-207, Arming and Use of Force by Air Force Personnel, dated 1 Sep 99, by wrongfully consuming alcohol within eight hours before duty. Article 112. You were, on or about 31 Oct 04, found drunk while on duty as a response force leader. Suspended Reduction to A1C. Forfeiture of \$600.00 pay per month for 2 months and Reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 5 NOV 04 - Failure to go.  
LOR, 6 OCT 04 - Late for work.  
LOR, 6 OCT 04 - Failure to attend Flight Training.  
LOR, 15 JUL 04 - Late for work on three different days.

f. CM: None.

g. Record of SV: 28 Aug 01 - 27 Apr 03 Osan AB 5 (HAF DIR)  
28 Apr 03 - 16 Feb 04 Osan AB 5 (CRO)

h. Awards & Decs: AFAM W/1 OAK LEAF CLUSTER, NDSM, AFTR, AFOUA, AFGCM.

i. Stmt of Sv: TMS: (04) Yrs (01) Mos (23) Das  
TAMS: (03) Yrs (03) Mos (06) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 7 Mar 05.  
(Change Discharge to Honorable)

Issue 1: I feel I am rehabilitated (sic) and made a big mistake, and now I see how hard it is and want to make it right.

**ATCH**

None.

16May05/day



DEPARTMENT OF THE AIR FORCE  
347TH SECURITY FORCES SQUADRON  
MOODY AFB, GEORGIA 31699

NOV 24 2004

MEMORANDUM FOR SRA [redacted]

FROM: CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct: Minor Disciplinary Infractions. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your service will be characterized as an Under Honorable Conditions (General) Discharge. I am recommending that your service be characterized as an Under Honorable Conditions (General) Discharge.

2. My reasons for this action are:

a. On 31 Oct 04, you failed to go to your appointed place of duty, you wrongfully consumed alcohol within eight hours before duty, and you were drunk on duty. For these offenses you received a suspended reduction to the grade of Airman First Class, forfeiture of \$600.00 pay per month for two months, and a reprimand, as evidenced by an Article 15, dated 16 Nov 04. (See Atch 1)

b. On 4 Nov 04, you failed to go to your appointed place of duty. For this offense you received a Letter of Reprimand (LOR), dated 5 Nov 04. (See Atch 2)

c. On 6 Oct 04, you failed to go to your appointed place of duty. For this offense you received an LOR, dated 6 Oct 04. (See Atch 3)

d. On 5 Oct 04, you failed to go to your appointed place of duty. For this offense you received an LOR, dated 6 Oct 04. (See Atch 4)

e. On 9 Jul 04, you failed to go to your appointed place of duty. For this offense you received an LOR, dated 15 Jul 04. (See Atch 5)

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 higher authority will decide whether you will be discharged or retained in the United States 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. The separation authority will make the findings and recommendations required under 10 U.S.C. Section 2005(g).

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: [redacted] at 5107 Austin Ellipse, on 23 Nov 04, at 1530 hours. You may consult civilian counsel at your own expense.

5. You have the right to submit statements on your own behalf. Any statements you want the separation authority to consider must reach me by three duty days from the date of this notification 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 on 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 Public Health, Building 970 on 29 Nov 04, at 0730 hours for the examination. Bring your medical records.

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 at Legal Office.

9. Execute the attached acknowledgment and return it to me immediately.



Commander

Attachments:

- 1. Article 15 w/atch, dated 16 Nov 04 (16 pages)
- 2. LOR, dated 5 Nov 04 (1 page)
- 3. LOR, dated 6 Oct 04 (1 page)
- 4. LOR, dated 6 Oct 04 (1 page)
- 5. LOR w/atch, dated 15 Jul 04 (2 pages)
- 6. Receipt of Notification Memorandum