

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST FIRST MIDDLE 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 A93.03		INDEX NUMBER A49.00			EXHIBITS SUBMITTED TO THE BOARD				
					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 13 Feb 2006		CASE NUMBER FD-2005-00306							
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE 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 RECORDS					SIGNATURE OF SECRETARY				
INDORSEMENT					DATE: 2/15/2006				
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				

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2005-00306**

**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 that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety that would justify a change of discharge.

**ISSUE:** Applicant contends discharge was inequitable because he could not pass his Career Development Course (CDC). The records indicated the applicant received four Letters of Reprimand for misconduct. The misconduct included failure to go on two separate occasions, lying, disobeying an order, dereliction of duty, reporting to commander with unpolished boots and facial hair, and a positive test for the prescription drug Adderal. The applicant did not have a prescription for this drug at the time of drug testing. The records also showed that the applicant failed his end-of course exam for his CDCs twice. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board reviewed and discussed the applicants CDC testing scores and comments made by his instructors. 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 A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Charleston AFB, SC on 18 Oct 04 UP AFI 36-3208, para 5.26.3 (Unsatisfactory Performance). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 25 Jan 83. Enlmt Age: 19 2/12. Disch Age: 21 8/12. Educ: HS DIPL. AFQT: N/A. A-48, E-50, G-44, M-46. PAFSC: 2A734 - Survival Equipment Apprentice. DAS: 26 Mar 03.

b. Prior Sv: (1) AFRes 4 Apr 02 - 16 Sep 02 (5 months 13 days)(Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 17 Sep 02 for 6 yrs. Svd: 02 Yrs 01 Mo 02 Das, all AMS.

b. Grade Status: A1C - 01 Nov 02

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 19 AUG 04 - Failure to go on two separate occasions.  
LOR, 12 AUG 04 - Lying, disobeying an order and dereliction of duty.  
LOR/UIF, 21 APR 04 - Positive test for drugs.  
LOR, 24 DEC 03 - Reporting to the commander with boots unpolished, facial hair, and disobeying an order from supervisor to report clean shaven.  
CDC, 22 DEC 03 - End of course exam failure.  
CDC, 24 APR 03 - End of course exam failure.

f. CM: None.

g. Record of SV: 17 Sep 02 - 16 May 04 Charleston AFB 1 (Initial)REF  
17 May 04 - 01 Oct 04 Charleston AFB 2 (Cmdr Dir)REF

h. Awards & Decs: AFOUA, BMTR, NDSM.

i. Stmt of Sv: TMS: (02) Yrs (06) Mos (15) Das  
TAMS: (02) Yrs (01) Mos (02) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 20 Jun 05.

(Change Discharge to Honorable)

Issue 1: I feel that a general discharge is unacceptable for me. I couldn't pass my career development courses, and was discharged from the military. I did not fail on purpose, and do not feel I should have the rest of my life with a derogatory discharge. I plan to live a very successful life, and knowing I have a general discharge does not sit on my conscience (sic) very well. I would greatly appreciate the upgrade to honorable discharge so I may continue to lead the successful life that lies ahead of me.

**ATCH**

None.

7SEP05/ia



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 437TH AIRLIFT WING (AMC)

FD 2005-00 306

OCT 05 2004

MEMORANDUM FOR A1C

437 MXS

FROM: 437 MXS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Unsatisfactory Duty Performance: Failure to progress in on-the-job training (OJT). The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.26.3. If my recommendation is approved, your service will be characterized as an Honorable discharge or 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 8 Oct 03, you failed a course exam for Career Development Course 2A754. Your score of 33 was below the required course passing score of 65. This failure is evidenced by the Report of Course Examination, dated 10 Nov 03 (Attachment 1); and
- b. On 10 Nov 03, for a second time, you failed a course exam for Career Development Course 2A754. Your score of 45 was below the required course passing score of 65. This failure is evidenced by the Report of Course Examination, dated 22 Dec 03 (Attachment 2).

3. Other Derogatory Data:

- a. On 17 and 18 Aug 04, you failed to go to your appointed place of duty on time. For this misconduct, you received a Letter of Reprimand, dated 19 Aug 04 (Attachment 10);
- b. On 9 Aug 04, you lied to an Noncommissioned Officer. Moreover, you disobeyed a direct order and derelict in the performance of your duties. For this misconduct, you received a Letter of Reprimand, dated 12 Aug 04 (Attachment 11);
- c. On 30 Sep 03, you tested positive for a the prescription drug, Adderal, during a routine urinalysis test. It was shortly disclosed that you had used the drug on multiple occasions over the course of a month and a half. For this offense, you received a Letter of Reprimand, dated 21 Apr 04, and an Unfavorable Information File was established, dated 26 Apr 04 (Attachment 12); and

d. On 24 Dec 03, you had a mandatory appointment with the 437 MXS Squadron Commander and you reported to him with your boots unpolished and hair on your chin. Moreover, you were previously told by TSgt \_\_\_\_\_ to make sure you were clean shaven before reporting to the commander and you failed to obey her order. For this misconduct, you received a Letter of Reprimand, dated 24 Dec 03 (Attachment 13).

4. 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 United States Air Force. 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).
5. 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 \_\_\_\_\_ at Bldg 503, on 6 Oct 04, at 0930 hours. You may consult civilian counsel at your own expense.
6. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 8 Oct 04 unless you request and receive an extension for good cause shown. I will send them to the separation authority.
7. 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.
8. You have been scheduled for a medical examination. You must report to 437th Medical Group, Hill Blvd, on 8 Oct 04, at 1100 hours.
9. You have been scheduled for a Transition Assistance Briefing at the Family Support Center, Bldg 255, on 8 Oct 04, at 0900 hours.
10. You have been scheduled for a separation briefing at Personnel Relocations, Bldg 503, on 6 Oct 04, at 0900 hours.
11. 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 the unit orderly room.

12. Sign the attached acknowledgment and return it to me immediately.

Capt, USAF

Commander

Attachments:

1. Report of Course Examination, dated 10 Nov 03
2. Report of Course Examination, dated 22 Dec 03
3. Plan for CDC Completion Memo, dated 245 Nov 03
4. Certification of the Air Force Achievement Test-AFRAT, dated 25 Nov 03
5. History of Progression for A1C Jeremy M. Moorman
6. Course Exam Failure Survey (First Time Failure)
7. Second Failure of Mandatory CDC Examination, dated 31 Dec 03
8. Career Development Course (Two Time Failure Assessment Guide)
9. On-The-Job Training Record
10. Letter of Reprimand, dated 19 Aug 04
11. Letter of Reprimand, dated 12 Aug 04 w/atch
12. Letter of Reprimand, dated 21 Apr 04 w/atch
13. Letter of Reprimand, dated 24 Dec 03
14. Receipt of Notification Memorandum
15. Airman's Statement
16. Recoupment Statement