

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)		GRADE  AMN		AFSN/SSAN																															
<b>TYPE GEN</b>		<b>PERSONAL APPEARANCE</b>		<b>X</b>	<b>RECORD REVIEW</b>																														
<b>COUNSEL</b>		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL																															
YES	No																																		
	<b>X</b>																																		
<b>MEMBER SITTING</b>  <div style="border: 1px dashed black; height: 150px; width: 100%;"></div>				<b>VOTE OF THE BOARD</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">HON</th> <th style="width: 15%;">GEN</th> <th style="width: 15%;">UOTHC</th> <th style="width: 15%;">OTHER</th> <th style="width: 15%;">DENY</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X</td></tr> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X</td></tr> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X</td></tr> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X</td></tr> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X</td></tr> </tbody> </table>		HON	GEN	UOTHC	OTHER	DENY					X					X					X					X					X
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<b>ISSUES</b> <b>A95.00</b> <b>A93.01</b> <b>A01.00</b>		<b>INDEX NUMBER</b> <b>A67.00</b> <b>A67.10</b>		<b>EXHIBITS SUBMITTED TO THE BOARD</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 5%; text-align: center;"><b>1</b></td><td>ORDER APPOINTING THE BOARD</td></tr> <tr><td style="text-align: center;"><b>2</b></td><td>APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td style="text-align: center;"><b>3</b></td><td>LETTER OF NOTIFICATION</td></tr> <tr><td style="text-align: center;"><b>4</b></td><td>BRIEF OF PERSONNEL FILE</td></tr> <tr><td></td><td>COUNSEL'S RELEASE TO THE BOARD</td></tr> <tr><td></td><td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td></tr> <tr><td></td><td>TAPE RECORDING OF PERSONAL APPEARANCE</td></tr> </table>		<b>1</b>	ORDER APPOINTING THE BOARD	<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE	<b>3</b>	LETTER OF NOTIFICATION	<b>4</b>	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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<b>HEARING DATE</b> <b>19 Apr 2006</b>		<b>CASE NUMBER</b> <b>FD-2005-00339</b>																																	
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 RECORDER			SIGNATURE OF BOARD PRESIDENT																																
<b>INDORSEMENT</b>																																			
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742			<b>FROM:</b> SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002																																

DATE: 4/24/2006

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2005-00339**

**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 records indicated applicant's misconduct resulted in her receiving two Article 15's; one for failing to go to appointed place of duty and the other for unlawfully hitting an airman in the arm several times with a hammer. The Vacation action resulting in her reduction to airman first class was for failure to go to appointed place of duty. Applicant states that she overslept due to the nine prescribed medications that she was taking. The DRB noted that member was under medication; however, after several unsuccessful attempts to obtain medical records from the Records Management Center in St. Louis, Missouri, could not verify the prescribed medications. Applicant also received one Letter of Reprimand for failure to go on two separate occasions. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her 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.

The applicant cited her desire to receive the G.I. Bill benefits as justification for upgrade. The DRB noted that when the applicant applied for these benefits, she signed a statement (DD Form 2366, on June 26, 2001) that she understood she must receive an Honorable discharge to receive future educational entitlements. The Board was sympathetic to the impact the loss of these benefits was having on the applicant, but this is not a matter of inequity or impropriety which would warrant an upgrade.

If she can provide additional documented information to substantiate an issue, the applicant should consider exercising her right to make a personal appearance before the Board. If she should choose to exercise her right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community.

**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 AMN) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Barksdale AFB, LA on 15 Nov 04 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 9 Feb 83. Enlmt Age: 18 0/12. Disch Age: 21 9/12. Educ: HS DIPL. AFQT: N/A. A-59, E-36, G-46, M-29. PAFSC: 3M031 - Services Apprentice. DAS: 18 Oct 01.

b. Prior Sv: (1) AFRes 9 Feb 01 - 12 Jun 01 (4 months 4 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 13 Jun 01 for 4 yrs. Svd: 03 Yrs 05 Mo 03 Das, all AMS.

b. Grade Status: Amn - 14 Oct 04 (Article 15, 14 Oct 04)  
A1C - 17 Aug 04 (Vacation of Article 15, 13 Oct 04)  
SrA - 13 Jun 04  
A1C - 13 Oct 02  
Amn - 13 Dec 01

c. Time Lost: None.

d. Art 15's: (1) 14 Oct 04, Barksdale AFB, LA - Article 86. You, did, on or about 29 Sep 04, without authority, fail to go at the time prescribed to your appointed place of duty. Reduction to Airman. (No appeal) (No mitigation)

(2) 13 Oct 04, Vacation, Barksdale AFB, LA - Article 86. You, did, on or about 29 Sep 04, without authority, fail to go at the time prescribed to your appointed place of duty. Reduction to A1C. (No appeal) (No mitigation)

(3) 17 Aug 04, Barksdale AFB, LA - Article 128. You, did, at or near Cheyenne, Wyoming, on or about 11 Jun 04, unlawfully hit A1C [ ] in the arm several times with a hammer. Suspended reduction to A1C. Suspended forfeiture of \$300.00 pay per month for 2 months. Thirty days extra duty. (No appeal) (No mitigation)

e. Additional: LOR, 19 AUG 04 - Failure to go on two occasions.

f. CM: None.

g. Record of SV: 14 Jul 01 - 13 Mar 03 Barksdale AFB 5 (Initial)  
14 Mar 03 - 13 Mar 04 Barksdale AFB 5 (Annual)

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

i. Stmt of Sv: TMS: (03) Yrs (09) Mos (07) Das  
TAMS: (03) Yrs (05) Mos (03) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 18 Aug 05.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. Two Enlisted Performance Reports.
3. Three Certificates of Appreciation.
4. Training Certificate.
5. Letter of Appreciation.
6. Correction to CDC.
7. College Transcript.
8. Letter of Appreciation.
9. Certificate of Training.
10. Congratulatory Email.

25OCT05/ia

14. CONTINUATION OF ITEM 6, ISSUES (If applicable) FIRST I WANT TO APOLOGIZE FOR MY CONDUCT DURING MY LAST FEW MONTHS OF SERVICE. WHILE I WAS ACTIVE DUTY, I MADE IT MY PERSONAL GOAL TO ATTEND COLLEGE TO BETTER MYSELF DURING MY CAREER. MY NEGLECT AND CARELESSNESS THAT I BROUGHT ONTO MYSELF, DID VERY MUCH STEER ME AWAY FROM MY ASPIRATIONS. I PLEAD FOR AN UPGRADE TO AN HONORABLE DISCHARGE SO I MAY CONTINUE MY GOAL AS MY LAST RESULT TO PERSIST WITH MY NEW <sup>UP</sup> LIFE AS A CIVILIAN. I FEEL THAT I HAVE LEARNED A VERY FIRM LESSON FROM MY ACTIONS, AND

15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable) COOPER INSTITUTE 8 AUG 03  
 CERTIFICATION OF APPRECIATION 20 AUG 2001 ADM EMAIL 17 SEPT 03  
 CERTIFICATION OF APPRECIATION 23 AUG 2001  
 CERTIFICATION OF APPRECIATION 24 OCT 01 - 16 NOV 01  
 CERTIFICATE OF TRAINING 21 MAR 02  
 LETTER OF APPRECIATION 7 AUG 02  
 CDC EMAIL 23 SEPT 02  
 LOUISIANA TECH TRANSCRIPTS 1 MAY 05  
 LETTER OF APPRECIATION 18 MAR 03

16. REMARKS (If applicable) (CONTINUATION OF ITEM 6) REALIZED THAT I WAS IMMATURE AND THOUGHTLESS. MY INTENTIONS WERE TO STRIVE FOR EVERYTHING NECESSARY TO CROSS-TRAIN AND RE-ENLIST INTO THE AIR FORCE. THE END RESULT OF MY MISHAP CAUSED ME SERIOUS DEPRESSION AND STRESS. AS AN AIRMAN, I FELT THAT MY CAREER WAS OVER DUE TO THE PUNISHMENT, IN WHICH I FELT THAT I COULD NOT DEAL WITH. BEFORE, I AIMED FOR EXCELLENCE CONTINUOUSLY AT WORK, SCHOOL, AND DURING MY VOLUNTEER SUPPORT. THESE LONG NINE MONTHS AS A CIVILIAN, HAS SHOWN ME HOW FORTUNATE I WAS TO BE A PART OF THE USAF. I KNOW I CANNOT CHANGE THE PAST, BUT I AM NOT WANTING TO MAKE ANY EXCUSES, ONLY CORRECTIONS. I WANT TO MAKE A DIFFERENCE AND I ASK FOR YOUR HELP.

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

<p><b>ARMY</b></p> <p>Army Review Boards Agency          Support Division, St. Louis          9700 Page Avenue          St. Louis, MO 63132-5200          (See <a href="http://arba.army.pentagon.mil">http://arba.army.pentagon.mil</a>)</p>	<p><b>NAVY AND MARINE CORPS</b></p> <p>Naval Council of Personnel Boards          720 Kennon Street, S.E.          Room 309 (NDRB)          Washington Navy Yard, DC 20374-5023</p>
<p><b>AIR FORCE</b></p> <p>Air Force Review Boards Agency          SAF/MRBR          550-C Street West, Suite 40          Randolph AFB, TX 78150-4742</p>	<p><b>COAST GUARD</b></p> <p>U.S. Coast Guard          Commandant (G-WPM)          2100 Second Street, S.W. Room 5500          Washington, DC 20593</p>



**DEPARTMENT OF THE AIR FORCE**  
**HEADQUARTERS, 2D BOMB WING**  
**BARKSDALE AFB, LOUISIANA 71110**

OCT 28 2004

MEMORANDUM FOR AMN: [REDACTED]

FROM: 2 SVS/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, *Military Retirements and Separations*, and AFI 36-3208, *Administrative Separation of Airmen*, 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 reason for this action is:

a. On 29 Sept 04, you failed to report at the time prescribed to your appointed place of duty. For this incident, you received Nonjudicial Punishment, dated 14 Oct 04.

b. On 29 Sept 04, you failed to report at the time prescribed to your appointed place of duty. For this incident, you received vacation of Nonjudicial Punishment, dated 14 Oct 04.

c. On 1 Aug 04, you failed to report at the time prescribed to your appointed place of duty. In addition, on 11 Aug 04, you failed to report for duty at the time prescribed. For these incidents, you received a Letter of Reprimand, dated 19 Aug 04.

d. On 11 Jun 04, you unlawfully hit Airman First Class [REDACTED] in the arm several times with a hammer, causing injury to his right hand and elbow. For this incident, you received Nonjudicial Punishment dated, 17 Aug 04.

3. 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 Bldg. 4714, Third Floor, on 29 OCT 04 at 0830 hours. You may consult civilian counsel at your own expense.

4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 3 Nov 04 unless you request and receive an extension for good cause shown. I will send them to the separation authority.

5. 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.

6. You have been scheduled for a medical examination. You must report to 2d Medical Group, 243 Curtiss Rd., Suite 100 on 2 NOV, at 0815 hours for the examination. Bring medical records to appointments.

7. 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 AF PUBS site.

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



Commander, 2d Services Squadron

Attachments:

1. Receipt of Notification Memorandum
2. Supporting Documents