	AIR FORCE DISC	HARGE REVIEW B	BOARD H	EAR	ING RECO	RD		
NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)			GRADE			AFSI	AFSN/SSAN	
			SRA					
TYPE GEN PER	SONAL APPEARAN		x		RECORD F	REVIEW		
	AND OR ORGANIZATION				D OR ORGANIZA		L.	
YES No X								
MEMBER SITTING				HON	VOT GEN	E OF THE BC	ARD OTHER	DENY
								X*+
								X*+
								X*+
								X*+
								X*+
ISSUES A92.21	INDEX NUMBER A67.	00			EXHIBITS SU	BMITTED TO	THE BOAR	D
A93.11			1		ER APPOINTI			
A93.01			2		LICATION FOR		DISCHARGE	
			4		F OF PERSON			
				COU	NSEL'S RELEA	ASE TO THE B		
				ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE				
		14. (margaret and a state of the state of th		TAP	E RECORDING	OF PERSONA	L APPEARA	NCE
HEARING DATE	CASE NUMBER							
28 Jul 2006	FD-2005-00363							
APPLICANT'S ISSUE AND THE BOARD'S D	ECISIONAL RATIONAL ARE DIS	CUSSED ON THE ATTACHED A	IR FORCE DISC	HARGE	REVIEW BOARD D	ECISIONAL RATIC	NALE	
Case heard in Washington,	D.C.							
Advise applicant of the dec submit an application to the		he right to a persona	al appeara	ance v	vith/without	counsel, ar	nd the right	t to
Names and votes will be m	ade available to the a	applicant at the appl	licant's re	quest				
*Reason and Authority								
+Reenlistment Code								
SIGNATURE OF RECORDER	<i>.</i>	SIGNATURE	OF BOARD R	ESIDENT	¥			
	INDORSEMI	Sand				DATE: 8/3/200	6	
TO: SAF/MRBR		FROM;			E AIR FORCE PER		IL	
550 C STREET WEST, SUI RANDOLPH AFB, TX 781				IAND DR	RGE REVIEW BO , EE WING, 3RD FI 20762-7002			
AFHQ FORM 0-2077, JA	N 00	(EF-V2)	:		Previo	ous edition w	ill be used	

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

GENERAL: The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change the reenlistment code.

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, change of reason and authority for discharge, and change of reenlistment code are 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:

Issue 1. The applicant cited his desire to reenlist to complete his obligation. The DRB noted the applicant's desire but concluded that his desire standing alone was not a matter of inequity or impropriety which would warrant an upgrade

Issue 2. Applicant suggested that his misconduct was a result of his youth, immaturity and irresponsibility. The records indicated the applicant received an Article 15, two Letters of Reprimand, a Letter of Counseling, a Memorandum for Record, and five AAFES letters for misconduct. These administrative actions were as a result of numerous infractions for failing to pay debts, writing bad checks, failure to obey a direct order and making false statements 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.

Issue 3. The DRB was pleased to see that the applicant was doing well. However, no inequity or impropriety in his discharge was suggested or found in the course of the hearing. The Board concluded the misconduct of the applicant appropriately characterized his term of service.

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 McConnell AFB, KS on 8 Sep 94 UP AFR 39-10, para 5-47b (Pattern of Misconduct). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. BACKGROUND:

a. DOB: 18 May 71. Enlmt Age: 19 6/12. Disch Age: 23 3/12. Educ: HS DIPL. AFQT: N/A. A-90, E-66, G-64, M-32. PAFSC: 1C451 - Tactical Air Command Control Journeyman. DAS: 30 Jan 94.

b. Prior Sv: (1) AFRes 3 Dec 90 - 3 Jan 91 (1 month 1 day) (Inactive).

3. SERVICE UNDER REVIEW:

a. Enlisted as AB 4 Jan 91 for 4 yrs. Extended 2 Feb 93 for 5 months. Svd: 03 Yrs 08 Mo 05 Das, all AMS.

- b. Grade Status: SrA 4 Jan 94 A1C - 4 May 92 Amn - 4 Jul 91
- c. Time Lost: None.
- d. Art 15's: (1) 24 Mar 94, Fort Riley AIN, KS Article 134. You, being indebted to the Army and Air Force Exchange at Fort Riley, Kansas, in the sum of \$119.58 for merchandise and services, which amount became due and payable on or about 26 Feb and 28 Feb 1994, did at the Army and Air Force Exchange Service, Fort Riley, Kansas, from 26 Feb 94 to 5 Mar 94, dishonorably fail to pay said debt. Forty five days extra duty. (No appeal) (No mitigation)
- e. Additional: AF Fm 418, 14 MAR 94 Denied Reenlistment. LOR, 20 JAN 94 - Failure to pay just debt. MFR, 06 JUN 94 - Failure to obey a direct order and making false statements. LOC, 19 MAY 94 - Failure to pay just debts. AAFES LTR, 3 MAY 94 - Failure to pay just debts. AAFES LTR, 7 MAR 94 - Failure to pay just debts. AAFES LTR, 26 JAN 94 - Failure to pay just debts. LOR, 14 DEC 93 - Failure to pay just debts. AAFES LTR, 1 DEC 93 - Failure to pay just debts. AAFES LTR, 1 DEC 93 - Failure to pay just debts. AAFES LTR, 17 Nov 93 - Failure to pay just debts.

LOC, 14 OCT 93 - Five bad checks.

- f. CM: None.
- g. Record of SV: 04 Jan 91 03 Sep 92 Fort Riley AIN 3 (Initial) 04 Sep 92 - 26 Apr 93 Fort Riley AIN 4 (CRO) 27 Apr 93 - 23 Jun 94 Fort Riley AIN 2 (Annual)REF
- h. Awards & Decs: AFGCM, NDSM, AFTR.
- i. Stmt of Sv: TMS: (03) Yrs (09) Mos (06) Das TAMS: (03) Yrs (08) Mos (05) Das
- 4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 16 Jun 05. (Change Discharge to Honorable, and Change the RE Code, Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF.

ATCH

,

٩

- 1. Applicant's Issues.
- 2. Three Enlisted Performance Reports.
- 3. Two DD Forms 214.
- 4. Credit Report.

250CT05/ia

0 9 SEI 2005	·		all	<u> </u>	D2005-00 363
FROM	THE ARM	IED FORCES OF 1	W OF DISCHARGE THE UNITED STATES ORE completing this application		Form Approved OMB No. 0704-0004 Expires Aug 31, 2006
The public reporting burden for this colle athering and maintaining the data need Varmation, including suggestions for re otwithstanding any other provision of i	action of informa led, and completi ducing the burde ew, no parson at	tion is estimated to average ing and reviewing the collect an, to the Department of Def hall be subject to any panalty	30 minutes per response, including the don of information. Send comments reg lense, Executive Services and Communi	time for reviewing instruc arding this burden estimat eations Directorate (0704 of information if it does n	tions, searching existing data sources, te or any other espect of this collection of -0004), Respondents should be aware the o display a currently valid OMB control
		PRIV	ACY ACT STATEMENT	• • • • • • • • • • • • • • • • • • •	
NUTHORITY: 10 U.S.C.1553;		ange in the character	ization or reason for military (displayed to	on individual
OUTINE USE(S): None.			izadon of resson for mintery (nsolialAc issned (n	
BCLOSURE: Voluntery; how ocial Security Number is strict	tly to assure	proper identification	information may impede proc of the individual and appropri	ate records.	
			wedi. PLEASE PRINT OR T	7	
RANCH OF SERVICE (X one) NAME (Last. First. Middle Initial)			G. GRADE/RANK AT DISCHAR E4/SR ATM	,	COAST BUARD
ATE OF DISCHARGE OR SEPAR			TERIZATION RECEIVED (X one)		ION REQUESTED (X one)
YYYYMMDD) (If date is more th rears ago, submit a DD Form 149	an 15 🚽 🛏	HONORABLE			TOHONORABLE
		GENERAL/UNDER	ONORABLE CONDITIONS		TO GENERAL/UNDER
1940908 INIT AND LOCATION AT DISCH	ABAE OR		AN HONORABLE CONDITIONS	CHANGE	TO UNCHARACTERIZED
EPARATION AT DISCH		BAD CONDUCT (SC UNCHARACTERIZE	pecial court-martial only)	CHANGE	Norbie for Air Force) NARRATIVE REASON FOR
10 CONNell AFB,		OTHER (Explain)		SEPARA	TION TO: RECODE
SETVICE ID AIT FOR <u>ALE LOF</u> <u>IT ES EL</u> 7. (XIII applicable) AN APPLIC AND THIS FORM IS SUBMI N SUPPORT OF THIS APPLICATION NOTICE I records are relevent to yo	A CE CAN A NC CATION WAS ITTED TO ADE ON, THE FOLL W Caso, plass	PREVIOUSLY SUBMITTED DADITIONAL ISSUES, OWING ATTACHED DO e send copies.) Mil	ED ON (YYYYMMDD)	VIDENCE: (Continue	in Item 17. If military documents or 2 LUCTON FOR S CONTRACT CONTRACTON CON
SETVICE ID AIT FOR <u>ALE LOF</u> <u>IT ES EL</u> 7. (XIII applicable) AN APPLIC AND THIS FORM IS SUBMI N SUPPORT OF THIS APPLICATION NOTICE I records are relevent to yo	A CE CAN A NC CATION WAS ITTED TO ADE ON, THE FOLL W Caso, plass	PREVIOUSLY SUBMITTE DADITIONAL ISSUES,	ED ON (YYYYMMDD)	VIDENCE: (Continue	e 1350-e +ace +N+
SERVICE +D AT FOR <u>ALE LOF</u> IN ESEL 7. (X IN Applicable) AN APPLIC AND THIS FORM IS SUBMIN N SUPPORT OF THIS APPLICATION N SUPPORT OF THIS APPLICATION	The and the and cation was cation was inted to abe on, the foll w case, plass cpit one)	A duty w PREVIOUSLY SUBMITTE DADDITIONAL ISSUES, OWING ATTACHED DO E send copies.) M.I. SEPOTT.	ED ON (YYYYMMDD) <u>NOM</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E HATY RECOV OS	VE VIDENCE: (Continue SOP EV	e issue face the
SERVICE +D AT FOR <u>ALE LOF</u> (resea AND THIS FORM IS SUBMIN SUPPORT OF THIS APPLICATIN SUPPORT OF THIS APPLICATIN SUPPORT OF THIS APPLICATION SUPPORT OF THIS APPLICATION TO THE CONDUCT A RECORD REVIEW SUBMITTED BY ME. LAND/OF LAND/OR (COUNSE/representation)	ATION WAS TITED TO ADD ON, THE FOLL W Case, plass CDIT ONE ONE (COUMMA/DOC (COUMA/DOC (COUMMA/DOC (COUMA/DOC (HARGE BASED ON MY HARGE BASED ON MY CALL SUBMITTE DADDITIONAL ISSUES, OWING ATTACHED DO SEAN ATTACHED DO SEAN ATACHED DO HARGE BASED ON MY COMPLEXED ON MY HARGE BASED ON MY H	ED ON (YYYYMMDD) <u>NOM</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E Tarty GRECENCES MILITARY PERSONNEL FILE AND	ANY ADDITIONAL DO	e issue face the
SETVICE +D AT FOR 212 LOF 15 ES EL 7. (X if epolicable) AN APPLIC AND THIS FORM IS SUBMIN SUPPORT OF THIS APPLICATIN AND TOF THIS APPLICATIN AND TOF THIS APPLICATING CONDUCT A RECORD REVIEW SUBMITTED BY ME, LAND/OF I AND/OR (COUNSE/TOP RESENTAN WASHINGTON, D. G. METROP I AND/OR (COUNSE/TOP RESENTAN	ATION WAS CATION WAS ITTED TO ADD ON, THE FOLL W CASSO, PHOASE CONTANNA CONTANNA COLITAN AREA	PREVIOUSLY SUBMITTE DADDITIONAL ISBUES, OWING ATTACHED DO E send copies.) Mil, SEPPIT. CHARGE BASED ON MY COMMERCIAL ON MY COMMERCIAL OF MILL NOT A DAPPEAR AT A HEARIN	ED ON (YYYYMMDD) JUSTIFICATION, OR EVIDENCE CUMENTS ARE SUBMITTED AS E HATY FRECOVOS MILITARY PERSONNEL FILE AND APPEAR BEFORE THE BOARD. IG AT NO EXPENSE TO THE GOV	ANY ADDITIONAL DC	e issue face the
Service to Art For 21 C. M. Poplicable) AN APPLIC AND THIS FORM IS SUBMI 1 SUPPORT OF THIS APPLICATION 1 SUPPORT OF THIS APPLICATION 1 SUPPORT OF THIS APPLICATION 1 SUPPORT OF THIS APPLICATION 1 CONDUCT A RECORD REVIEW SUBMITTED BY ME. I AND/OF I AND/OR (counsel/representation WASHINGTON, D.C. METROP I AND/OR (counsel/representation (onter chy and station)	A CONTRACTOR OF THE POLL A TION WAS INTED TO ADD ON, THE FOLL W CASSO, PHONE CONTRACTOR CONTRACTOR MISH TO COLITAN AREA Kive) WISH TO MISH TO MIS	PREVIOUSLY SUBMITTE DADDITIONAL ISBUES, OWING ATTACHED DO E send copies.) Mil, SEPPIT. CHARGE BASED ON MY COMMENTATION ON MY DAPPEAR AT A HEARIN DAPPEAR AT A HEARIN DAPPEAR AT A HEARIN (Last, First, Middle Initia	ECR WITHOUT QUE D ON (YYYYMMDD) <u>NOA</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E TOTY GECOND MILITARY PERSONNEL FILE AND APPEAR BEFORE THE BOARD. IG AT NO EXPENSE TO THE GOV (NOTE: The Nevy	ANY ADDITIONAL DO	e issue face the
SETVICE +D AT FOR 21 - LOF 10 - S - C AND THIS FORM IS SUBMIN NUPPORT OF THIS APPLICATIN SUPPORT OF THIS APPLICATIN SUPPORT OF THIS APPLICATING CONDUCT A RECORD REVIEW SUBMITTED BY MC. I AND/OF I AND/OR (COUNSE//TOP/SSENTER (DOTO CAN UND STATE) I AND/OR (COUNSE//TOP/SSENTER (DOTO CAN UND STATE) COUNSEL/MEPRESENTATIVE (A CONTRACTOR OF THE POLL A TION WAS INTED TO ADD ON, THE FOLL W CASSO, PHONE CONTRACTOR CONTRACTOR MISH TO COLITAN AREA Kive) WISH TO MISH TO MIS	PREVIOUSLY SUBMITTE DADDITIONAL ISBUES, OWING ATTACHED DO E send copies.) Mil, SEPPIT. CHARGE BASED ON MY COMMENTATION ON MY DAPPEAR AT A HEARIN DAPPEAR AT A HEARIN DAPPEAR AT A HEARIN (Last, First, Middle Initia	ECR WITHOUT QUE D ON (YYYYMMDD) <u>NOA</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E TOTY GECOND MILITARY PERSONNEL FILE AND APPEAR BEFORE THE BOARD. IG AT NO EXPENSE TO THE GOV (NOTE: The Nevy	ANY ADDITIONAL DO	e 1350 e face fin
SERVICE +D AT FOR 212 LOF 18 ES EL 7. (X IT applicable) AN APPLIC AND THIS FORM IS SUBMIN N SUPPORT OF THIS APPLICATION SUPPORT OF THIS APPLICATION SUPPORT OF THIS APPLICATION SUPPORT OF THIS APPLICATION CONDUCT A RECORD REVIEW SUBMITTED BY MC. I AND/OF I AND/OR (counsel/represented (anter chr and astel) COUNSEL/MEPRESENTATIVE (A CONTRACTOR OF THE POLL A TION WAS INTED TO ADD ON, THE FOLL W CASSO, PHONE CONTRACTOR CONTRACTOR MISH TO COLITAN AREA Kive) WISH TO MISH TO MIS	PREVIOUSLY SUBMITTE DADDITIONAL ISBUES, OWING ATTACHED DO E send copies.) Mil, SEPPIT. CHARGE BASED ON MY COMMENTATION ON MY DAPPEAR AT A HEARIN DAPPEAR AT A HEARIN DAPPEAR AT A HEARIN (Last, First, Middle Initia	ECR WITHOUT QUE D ON (YYYYMMDD) <u>NOA</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E TOTY GECOND MILITARY PERSONNEL FILE AND APPEAR BEFORE THE BOARD. IG AT NO EXPENSE TO THE GOV (NOTE: The Nevy	ANY ADDITIONAL DO ERNMENT BEFORE TR ERNMENT BEFORE TR Disobarta Review Bo b. TELEPHONE NU c. E-MAIL	e 1350 e face fin
SERVICE +D AT FOR <u>ALE LOF</u> (* ES EL 7. (X if applicable) AN APPLIC AND THIS FORM IS SUBMI N SUPPORT OF THIS APPLICATION SUPPORT OF THIS APPLICATION INFORMATION OF THIS APPLICATION (CONDUCT A RECORD REVIEW SUBMITTED BY ME. I AND/OR (CONDUCT A RECORD REVIEW SUBMITTED BY ME. I AND/OR I AND/OR (CONSENTING) I AN	A CC CATION WAS ITTED TO ADD ON, THE FOLL W Casso, plass CDT+ COLITAN AREA (vo) WISH TO OLITAN AREA A course of the out out course (vo) WISH TO OLITAN AREA tive) WISH TO If enyl NAME To ebout course	A didy w PREVIOUSLY SUBMITTE DADDITIONAL ISSUES, OWING ATTACHED DO e send copies.) M, I, FEPPIT. HARGE BASED ON MY I COMPARATA HEARIN DAPPEARATA HEARIN DAPPEARATA HEARIN DAPPEARATA HEARIN ILest, First, Middle Initie sel/representative.) /. If the record in questic E APPLICATION, if the s	ECR WITHOUT QUE D ON (YYYYMMDD) <u>NOA</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E TOTY GECOND MILITARY PERSONNEL FILE AND APPEAR BEFORE THE BOARD. IG AT NO EXPENSE TO THE GOV (NOTE: The Nevy	ANY ADDITIONAL DO ERNMENT BEFORE A Displayer Review Bo b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (Detent person, LEGAL the applicant, indicate	e issue face find in Item 17. If military documents or a Log trom 3 and OCUMENTATION HE BOARD IN THE TRAVELING PANEL CLOSEST TO and does not have a traveling panel JMBER (Include Area Code) JMBER (Include Area Code)
SETVICE +D AT FOR 21 - 20 - 10 - 50 - 20 21 - 20 - 10 - 50 - 20 AND THIS FORM IS SUBMIN N SUPPORT OF THIS APPLICATIN DECIDATION OF THIS APPLICATING SUPPORT OF THIS APPLICATING SUPPORT OF THIS APPLICATING CONDUCT A RECORD REVIEW SUBMITTED BY MC. I AND/OR CONDUCT A RECORD REVIEW SUBMITTED BY MC. I AND/OR CONDUCT A RECORD REVIEW SUBMITTED BY MC. I AND/OR I AND/OR (counsel/represented (antor chy and state) AND/OR (counsel/represented (antor chy and state) AND/OR (counsel/represented (Sae Item 10 of the instruction NCOMPETENTENCY MUST SUGN IN ITEM NCOMPETENTENCY MUST ACCO COUNSEL/MEPRESENTATIVE (SPOUSE WIDOW	CATION WAS ITTED TO ADE ON, THE FOLL W cass, plass CDTT CONTRE FOLL CONTRE FO	A If the record in questic APPEAR AT A HEARIN CAPPEAR AT A HEARIN CAP	ECC WITHOUT 900 D ON (YYYYMMDD) <u>ACA</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E Tart y GL COV O MILITARY PERSONNEL FILE AND APPEAR BEFORE THE BOARD. G AT NO EXPENSE TO THE GOV INOTE: The Navy II AND ADDRESS On is that of a deceased or incomp polication is signed by other than 1 relationship by marking a box bei	ANY ADDITIONAL DO ERNMENT BEFORE A Displayer Review Bo b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (Detent person, LEGAL the applicant, indicate low.	e issue face find in Item 17. If military documents or a Log trom 3 and OCUMENTATION HE BOARD IN THE TRAVELING PANEL CLOSEST TO and does not have a traveling panel JMBER (Include Area Code) JMBER (Include Area Code)
SERVICE +D AT FOR ALC NOT POPULATION AND THIS FORM IS SUBMIN N SUPPORT OF THIS APPLICATION N SUPPORT OF THIS APPLICATION (SUPPORT OF THIS APPLICATION I AND/OR (COUNSE/INCOMPENDING) I AND/O	CATION WAS ITTED TO ADE ON, THE FOLL W cass, plass CDTT CONTRE FOLL CONTRE FO	A If the record in questic APPEAR AT A HEARIN CAPPEAR AT A HEARIN CAP	ECC WITHOUT 900 DON (YYYYMMDD) <u>ACA</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E Tart y GL COV O MILITARY PERSONNEL FILE AND APPEAR BEFORE THE BOARD. IG AT NO EXPENSE TO THE GOV IG AT NO EXPENSE TO THE GOV INOTE: The Nexy II AND ADDRESS On is that of a deceased or incomp oplication is signed by other than i relationship by marking a box bei	ANY ADDITIONAL DO ERNMENT BEFORE A Displayer Review Bo b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (Detent person, LEGAL the applicant, indicate low.	e issue face find
SERVICE +D AT FOR <u>AIE JOF</u> ISES EX 7. (X. If applicable) AN APPLIC AND THIS FORM IS SUBMIN N SUPPORT OF THIS APPLICATION noticed incounts are relevant to you 20 MEAT CF YPE OF REVIEW REQUESTED (X. CONDUCT A RECORD REVIEW SUBMITTED BY ME, I AND/OR COUNSEL/REPRESENTATIVE (I (Saw Item 10 of the instruction NCOMPETENTENCY MUST SCO WDOWE APPLICANT MUST SIGN IN ITEM INCOMPETENTENCY MUST ACCO CURRENT MAILING ADDRESS	CATION WAS ITTED TO ADE ON, THE FOLL W cass, plass CDTT CONTRE FOLL CONTRE FO	A If the record in questic APPEAR AT A HEARIN CAPPEAR AT A HEARIN CAP	ECC WITHOUT 900 DON (YYYYMMDD) <u>ACA</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E Tart y GL COV O MILITARY PERSONNEL FILE AND APPEAR BEFORE THE BOARD. IG AT NO EXPENSE TO THE GOV IG AT NO EXPENSE TO THE GOV INOTE: The Nexy II AND ADDRESS On is that of a deceased or incomp oplication is signed by other than i relationship by marking a box bei	ANY ADDITIONAL DO ERNMENT BEFORE TR ERNMENT BEFORE TR Discharts Review Bo b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (Detent person, LEGAL the applicant, indicate iow. ATIVE OTHER b. TELEPHONE NU	e issue face find
SERVICE +D Art For Are not for es en 7. (X if applicable) AN APPLIC AND THIS FORM IS SUBMI N SUPPORT OF THIS APPLICATION SUPPORT OF THIS APPLICATION N SUPPORT OF THIS APPLICATION N SUPPORT OF THIS APPLICATION N SUPPORT OF THIS APPLICATION (CONDUCT A RECORD REVIEW SUBMITTED BY ME. I AND/OR I AND/OR (counsel/represented WASHINGTON, D. C. METROP I AND/OR (counsel/represented WASHINGTON, D. C. METROP I AND/OR (counsel/represented I AND/OR (counsel/represented WASHINGTON, D. C. METROP I AND/OR (counsel/represented I AND/OR (counsel/repres	CATION WAS CATION WAS ITTED TO ADD ON, THE FOLL W case, plass CDIT COLORNY CASE ONE V OF MY DISC COLORNY THE WISH TO OLITAN AREA WISH TO OLITAN AREA WISH TO OLITAN AREA WISH TO OLITAN AREA WISH TO OLITAN AREA WISH TO OF APPLICAN COMPANY THE WIDOY OF APPLICAN COMPANY THE OF APPLICAN COMPANY THE	A CARY W PREVIOUSLY SUBMITTE DADDITIONAL ISSUES, OWING ATTACHED DO E send copies.) Mile SEPPIT. CAPPEAR AT A HEARIN DAPPEAR AT A HEARIN DAPPEAR AT A HEARIN DAPPEAR AT A HEARIN CLest, First, Middle Initis Second Second In QUESK APPLICATION. If the sp and WER NEXT OF M TOR PERSON ABOVE MEL	ECC WITHOUT 900 DON (YYYYMMDD) <u>ACA</u> JUSTIFICATION, OR EVIDENCE. CUMENTS ARE SUBMITTED AS E Tart y GL COV O MILITARY PERSONNEL FILE AND APPEAR BEFORE THE BOARD. IG AT NO EXPENSE TO THE GOV IG AT NO EXPENSE TO THE GOV INOTE: The Nexy II AND ADDRESS On is that of a deceased or incomp oplication is signed by other than i relationship by marking a box bei	ANY ADDITIONAL DO ERNMENT BEFORE TH ERNMENT BEFORE TH ERNMENT BEFORE TH ERNMENT BEFORE A Dischartus Review Bo b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (Detert person, LEGAL the applicant, indicate iow. ATIVE OTHER b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (D. FAX NUMBER (C. E-MAIL C. E-MAIL	e issue face fin
SETVICE 10 Art For ALE LOF 18 ES EL 7. (X, If applicable) AN APPLIC AND THIS FORM IS SUBMIN N SUPPORT OF THIS APPLICATION N SUPPORT OF THIS APPLICATION (CONDUCT A RECORD REVIEW 1 AND/OR (COURSE)/TOPRESENT 1 AND/OR (COURSE)/TOPRESE	CATION WAS ITTED TO ADE ON, THE FOLL W case, please CDTT ONE CDTT ONE V OF MY DISC COUTAN AREA tive) WISH TO OLITAN AREA tive) WISH TO OLITAN AREA tive) WISH TO OF APPLICAN ange in edires VIDON OF APPLICAN ange in edires VIDON OF APPLICAN ange in edires VIDON	A CARY W PREVIOUSLY SUBMITTE DADDITIONAL ISSUES. OWING ATTACHED DO SEND CODIES.) MILL SEPPET. CHARGE BASED ON MY COMPEAN AT A HEARIN DAPPEAN AT A HEARIN DAPPEAN AT A HEARIN DAPPEAN AT A HEARIN CLESS, First, Middle Initia SECONDENT CONTRACTOR NEXT OF X TOR PERSON ABOVE SEL. TOR PERSON ABOVE SEL.	ere with full knowledge of the penalt on 227 and 1001, provide thet e b. DATE SIGNED - REQUI	ANY ADDITIONAL DO ERNMENT BEFORE TR ERNMENT BEFORE TR Dispharus Review Bo b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (Detent person, LEGAL the applicant, indicate aw. ATIVE OTHER b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (Detent person, LEGAL the applicant, indicate aw. ATIVE OTHER b. TELEPHONE NU c. E-MAIL c. E-MAIL b. TELEPHONE NU c. E-MAIL c. E-MAIL c. E-MAIL b. TELEPHONE NU c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL	e issue face the in hom 17. If military documents or a Lod the Maintary documents or a Lod the
SERVICE +D Art For <u>AIE JOF</u> (* ES EL 7. (X, if applicable) AN APPLIC AND THIS FORM IS SUBMI N SUPPORT OF THIS APPLICATIN neidical records are relevant to yo CONDUCT A RECORD REVIEW SUBMITTED BY ME. I AND/OF I AND/OR (counsel/represental WASHINGTON, D.C. METROP I AND/OR (counsel/represental (CONSEL/MERESENTATIVE // (Sae Item 10 of the instruction) APPLICANT MUST SIGN IN ITEM (COMSEL/MERESENTATIVE // (Sae Item 10 of the instruction) CURRENT MAILING ADDRESS (Forward pathfastion of any ch CHRENT MAILING ADDRESS (Forward pathfastion of any ch CERTIFICATION. I make the forego WIDOW I making a faise statement find under this title or imprisonal	CATION WAS ITTED TO ADE ON, THE FOLL W case, please CDTT ONE CDTT ONE V OF MY DISC COUTAN AREA tive) WISH TO OLITAN AREA tive) WISH TO OLITAN AREA tive) WISH TO OF APPLICAN ange in edires VIDON OF APPLICAN ange in edires VIDON OF APPLICAN ange in edires VIDON	A CARY W PREVIOUSLY SUBMITTE DADDITIONAL ISSUES. OWING ATTACHED DO SEND CODIES.) MILL SEPPET. CHARGE BASED ON MY COMPEAN AT A HEARIN DAPPEAN AT A HEARIN DAPPEAN AT A HEARIN DAPPEAN AT A HEARIN CLESS, First, Middle Initia SECONDENT CONTRACTOR NEXT OF X TOR PERSON ABOVE SEL. TOR PERSON ABOVE SEL.	ere with full knowledge of the penaltions in 287 end 1001, provide thet end	ANY ADDITIONAL DO ERNMENT BEFORE TR ERNMENT BEFORE TR Dispharus Review Bo b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (Detent person, LEGAL the applicant, indicate aw. ATIVE OTHER b. TELEPHONE NU c. E-MAIL d. FAX NUMBER (Detent person, LEGAL the applicant, indicate aw. ATIVE OTHER b. TELEPHONE NU c. E-MAIL c. E-MAIL b. TELEPHONE NU c. E-MAIL c. E-MAIL c. E-MAIL b. TELEPHONE NU c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL c. E-MAIL	e issue face find

•	- 1 7	

4. CONTINUATION OF ITEM 6, ISSUES (If applicable) At the time twas your , and irresponsible for My francial responsibilities. At has taken time But I have corrected this and wish to reenlist to the service. As for mention B The financial hardship face then do not exist now. 15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable) I have provided My Duty evaluations to show Military wise I had no problems. I have provided my coverent credit report as proof 16. REMARKS (If applicebic) Fam petitioning the board to allow My RE code To be changed from 26 TO one which allows reenlistment as well as change the Discharge as well. I do realize at this time the this was detremental to me. Iwould like a chance to redeem myself and prove I am able to serve and take care of my civilian life as well. MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW. ARMY NAVY AND MARINE CORPS Army Review Boards Agency **Naval Council of Personnel Boards** Support Division, St. Louis 720 Kennon Street, S.E. 9700 Page Avenue Room 309 (NDRB) St. Louis, MO 63132-5200 Washington Navy Yard, DC 20374-5023 (See http://arba.army.pentagon.mil) **AIR FORCE** COAST GUARD Air Force Review Boards Agency U.S. Coast Guard SAF/MRBR Commandant (G-WPM) Detart-550-C Street West, Suite 40 2100 Second Street, S.W. Room 5500 Randolph AFB, TX 78150-4742 Washington, DC 20593 RM 293, MAR 2004 Page 2 of 4 Pages Enzon-5002 4-1



DEPARTMENT OF THE AIR FORCE HEADQUARTERS 22D AIR REFUELING WING (AMC) STAFF JUDGE ADVOCATE McCONNELL AIR FORCE BASE, KANSAS

30 Aug 94

MEMORANDUM FOR 22 ARW/CC

FROM: 22 ARW/JA

SUBJECT:	Involuntary Discharge - Si	τ A
		L

1. FACTS AND CIRCUMSTANCES. On 17 Aug 94, Lt Col 10th Air Support Operations Squadron, recommended SrA be involuntarily discharged from the United States Air Force pursuant to AFR 39-10, paragraph 5-47d, for a pattern of misconduct involving the failure to pay just debts. Lt Col also recommended SrA service be characterized as general (under honorable conditions) and recommended against any further rehabilitative efforts in this case.

2. EVIDENCE:

a. Evidence for the Government. SrA: has received an Article 15, two Letters of Reprimand, and two Letters of Counseling for failing to pay just debts and/or issuing dishonored checks. His misconduct began over a year ago, 15 Jul 93, when he received his first Letter of Counseling for writing five checks on an account in which there were insufficient funds to cover Subsequently, SrA was scheduled for an appointment for financial the checks. management at Rhein Main AB, Germany. On 14 Dec 93, SrA: received his first Letter of Reprimand for non-payment of debts owed to the Army and Air Force Exchange Service (AAFES) and the commissary, for dishonored checks and non-payment on his AAFES Deferred Payment Plan (DPP) account. On 16 Mar 94, SrA: received an Article 15, Non-Judicial Punishment for failing to pay just debts. These "just debts" were once again in the form of checks written on an account that did not have sufficient funds. Although SrA had already received a LOC, a LOR and an Article 15, he continued to fail to pay his debis. On 2 Jun 94, SrA failed to obey a direct order to make a payment and/or obtain a receipt for payment on his AAFES DPP account, which is documented by a memo for record by his flight NCOIC. When SrA was questioned by his supervisor, he evaded the issue by saying he could not obtain a receipt. It wasn't until further inquiry by his supervisor that he finally admitted to not paying this debt and not having the money to do so. On the same day, the first sergeant discovered that SrA Diners Club account was delinquent and had been delinquent for approximately six months. When a payment was made, the check was returned for insufficient funds. SrA received a Letter of Reprimand for this incident.

b. <u>Evidence for the Respondent</u>. After consultation with military defense counsel, the respondent submitted statements in his own behalf. The respondent states the difficulties for his

AMC--GLOBAL REACH FOR AMERICA

financial situation have been beyond his control. His problems started when he was married in June 1993 and moved to Germany only one month later without his family. Due to a family crisis involving his wife, he had to return to the United States. In order to make the return trip, he had to borrow money from the Air Force Aid Society to help defray the expenses incurred. The respondent contends the family crisis left his wife with emotional scars causing her spending to get out of control. By the time he was able to control her spending, his debts were beyond control. After returning to the United States the respondent contends there were errors with his pay and that he did not receive the follow-up financial counseling he needed from his superiors. The respondent feels he should receive an honorable discharge because these "hardships" should not be considered "significant negative aspects" of his military career.

3. **OPINION.** In my opinion, the evidence in the file is factually and legally sufficient to support Lt Col recommendation that SrA be involuntarily discharged from the Air Force with a general (under honorable conditions) discharge.

a. SrA has demonstrated a continuous and obvious inability to conform to Air Force standards of conduct. Despite two financial management seminars (one at Rhein Main, Germany and one at the McConnell AFB Family Services Center) and numerous other rehabilitative efforts, SrA has failed to take the steps necessary to correct his financial problems. Instead he continues to write insufficient funds checks for goods or services and he is continually delinquent on credit accounts he has accrued. Through all this, SrA places the blame for his indebtedness and financial problems on his wife and/or the pay errors. Even though SrA spouse may have written some of the dishonored checks, he is ultimately responsible for his finances. It has been over a year since the incident occurred with SrA wife, yet SrA has been unable or unwilling to get a handle on his financial situation. He is clearly subject to discharge for his actions. Paragraph 5-47, AFR 39-10, states airman are subject to involuntary discharge when they are involved in a pattern of misconduct and paragraph 5-47d states that an airman may be discharged for dishonorable failure to pay just debts. SrA

b. The initiating commander, Lt Cole is has recommended against any further probation and rehabilitation in this case. The case file indicates the respondent has already received ample rehabilitative actions, financial assistance (Air Force Aid Society) and professional counselings in an effort to correct his behavior. These efforts have been continuously met with negative results. AFR 39-10, paragraph 7-2g, indicates that you, the separation authority, may offer probation and rehabilitation. In this case, in view of the respondent's record and in consideration to the many prior unsuccessful attempts at rehabilitation, I believe this is not an appropriate case to offer any additional probation and rehabilitation.

c. SrA requests that he receive an honorable discharge if the separation authority approves his discharge. Paragraph 5-45d states that the service of a member discharged for misconduct may be characterized as honorable only if "the member's record has been so meritorious that any other characterization would be clearly inappropriate." In this case, SrA service cannot be described as "meritorious." According to AFR 30-10, paragraph 1-18b, "[c]haracterization of service as general is warranted when significant negative aspects of the airman's conduct or performance of duty outweigh positive aspects of the airman's military record." Given the significant negative aspects of his off-duty conduct in this enlistment, SrA: deserves nothing better than a general (under honorable conditions) discharge.

4. **RECOMMENDATION.** I recommend you sign the attached letter recommending SrA be involuntarily discharged from the United States Air Force with a general discharge without any further probation or rehabilitation.

Staff Judge Advocate

Attachment Letter Directing Discharge

AUG 1 7 1994

MEMORANDUM FOR SRA

FROM: Det 2, 3d ASG/CC

SUBJECT: Notification Letter

1. I am recommending your discharge from the United States Air Force for a pattern of misconduct. The authority for this action is AFR 39-10, paragraph 5-47d. If my recommendation is approved, your service will be characterized as honorable or general. I am recommending that your discharge be characterized as general.

2. My reasons for this action are:

a. You did, between on or about 20 Dec 93 and on or about 20 Jun 94, fail to pay a just debt to Diners Club, and you did on or about 11 May 94, issue a check in the amount of \$50.00 to Diners Club in which there were insufficient funds in your account to cover the check. After your were notified on or about 2 Jun 94, you gave instructions for the check to be reprocessed. Again, you failed to maintain sufficient funds in your account to pay such check, as evidenced by a Letter of Reprimand, 20 Jun 94.

b. You did, on or about 2 Jun 94, fail to obey a direct order to make a payment and/or obtain a receipt for payment on your Army, Air Force Exchange Service (AAFES) Deferred Payment Plan (DPP) account, and made false statements to your flight NCOIC concerning your financial practices, as evidenced by a Memo for Record, 6 Jun 94.

c. You did, on or about 3 May 94, fail to pay a just debt to AAFES for your DPP account, as evidenced by a Letter of Counseling, 19 May 94 and a letter from AAFES, 3 May 94.

d. You did, between on or about 26 Feb 94 and on or about 5 Mar 94, fail to pay a just debt to AAFES at Fort Riley, Kansas, as evidenced by an AF Form 3070, Record of Nonjudicial Punishment Proceedings, 30 Mar 94 and a letter from AAFES, 7 Mar 94.

e. You did, on or about 15 Nov 93, fail to pay a just debt to AAFES, Europe, as evidenced by a letter from AAFES, 26 Jan 94.

f. You did, between on or about 22 Aug 93 and on or about 1 Dec 93, fail to pay just debts to AAFES and a DECA commissary as evidenced by a Letter of Reprimand, 14 Dec 93; two letters from AAFES, 17 Nov 93 and 1 Dec 93 and a letter from the Subsistence Finance and Accounting Office Europe, 30 Oct 93.

g. You did, between on or about 15 Jul 93 and on or about 18 Sep 93 issue five checks to the Fort Riley AAFES when there were insufficient funds in your account to cover said checks, as evidenced by a Letter of Counseling, 14 Oct 93.

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 Capt Area Defense Counsel in Bldg 750 at McConnell AFB, Kansas on 22 Aug 94 at 1100. 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 $22 \ln \alpha$ at 0.245 unless you request and receive 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 two mandatory medical examinations. You must report to the 22d Medical Group Physical Exams section at 0700 on 23 Aug 94 and Clinic A at 1400 on 23 Aug 94. for the examinations. Bring your records with you. If you wear glasses bring those with you. If you wear contacts have the out 12 hours prior to both examinations.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, attachment 2. A copy of AFR 39-10 is available for your use in your unit orderly room.

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



Attachments:

٠

- 1. LOR, 20 Jun 94
- 2. MFR 6 Jun 94
- 3. LOC, 19 May 94
- 4. AAFES Ltr, 3 May 94
- 5. AF Form 3070 w/atchs, 30 Mar 94
- 6. AAFES Ltr, 26 Jan 94
- 7. LOR, 14 Dec 93
- 8. AAFES Ltr, 1 Dec 93
- 9. AAFES Ltr, 17 Nov 93
- 10. DECA Ltr, 30 Oct 93
- 11. LOC, 14 Oct 93
- 12. Airman's Receipt of Notification Ltr