

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>	<b>GRADE</b>  AMN	<b>AFSN/SSAN</b> <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
--	-------------------------	--

<b>TYPE GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>
-----------------	----------------------------	----------	----------------------

<b>COUNSEL</b>	<b>NAME OF COUNSEL AND OR ORGANIZATION</b>	<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;"><b>YES</b></td> <td style="width:50%;"><b>No</b></td> </tr> <tr> <td></td> <td align="center"><b>X</b></td> </tr> </table>	<b>YES</b>	<b>No</b>		<b>X</b>		
<b>YES</b>	<b>No</b>					
	<b>X</b>					

<b>MEMBER SITTING</b>	<b>VOICE OF THE BOARD</b>				
	HON	GEN	UOTIC	OTHER	DENY
					X**
					X**
					X**
					X**
					X**

<b>ISSUES</b>	A94.53 A01.00	<b>INDEX NUMBER</b>	A67.10		<b>EXHIBITS SUBMITTED TO THE BOARD</b>														
					<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td><b>1</b></td><td>ORDER APPOINTING THE BOARD</td></tr> <tr><td><b>2</b></td><td>APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td><b>3</b></td><td>LETTER OF NOTIFICATION</td></tr> <tr><td><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
<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																		

<b>HEARING DATE</b>	28 Jul 2006	<b>CASE NUMBER</b>	FD-2005-00396
---------------------	-------------	--------------------	---------------

**APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE 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.

\*Reason and Authority  
+Reenlistment Code

<b>SIGNATURE OF RECORDER</b> <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>	<b>SIGNATURE OF BOARD PRESIDENT</b> <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
--	---

<b>INDORSEMENT</b>	<b>DATE: 7/31/2006</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

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2005-00396**

**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 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:**

Issue. The applicant cited her desire to serve once again in the armed forces. The records indicated the applicant received an Article 15, a Vacation, four Letters of Reprimand, a Letter of Admonishment and two Records of Individual Counseling for misconduct. The applicant was disciplined with four Letters of Reprimand for failure to make required progress in the Weight Management Program, failure to obey a lawful order, larceny and wrongful appropriation, and being late for work. The Letter of Admonishment was for being disrespectful to a superior commissioned officer. The applicant had further misconduct and received an Article 15 and Vacation for failure to go to appointed place of duty on three separate occasions and failure to wear Chef Whites while performing duties at the dining facility. Her misconduct resulted in reduction to airman and fifteen days of extra duty. 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.

**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 A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Whiteman AFB, MO on 16 Nov 98 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 14 Jun 78. Enlmt Age: 17 9/12. Disch Age: 18 5/12. Educ: HS DIPL. AFQT: N/A. A-26, E-54, G-33, M-26. PAFSC: 3M031 - Services Apprentice. DAS: 12 Nov 96.

b. Prior Sv: (1) AFRes 16 Mar 96 - 16 Jul 96 (4 months 1 day) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 17 Jul 96 for 4 yrs. Svd: 02 Yrs 04 Mo 00 Das, all AMS.

b. Grade Status: AMN - 1 Oct 98 (Vacation of Article 15, 21 Oct 98)  
A1C - 17 Nov 97  
AMN - 17 Jan 97

c. Time Lost: None.

d. Art 15's: (1) 21 Oct 98, Vacation, RAF Mildenhall, UK - Article 92. You, having knowledge of a lawful order issued by SSgt [redacted] to wear your Chef Whites while performing duties at the dining facility, an order which it was your duty to obey, did, on divers occasions, between on or about 8 Oct 98 and on or about 9 Oct 98 fail to obey the same by not wearing your Chef Whites. You, having knowledge of a lawful order issued by TSgt [redacted] to wear your Chef Whites while performing duties at the dining facility, an order which it was your duty to obey, did, on or about 14 Oct 98 fail to obey the same by not wearing your Chef Whites. Article 86. You did, on or about 9 Oct 98 and on or about 10 Oct 98, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: building 436. Reduction to Airman. (No appeal) (No mitigation)

(2) 1 Oct 98, RAF Mildenhall, UK - Article 86. You did, on or about 17 Sep 98, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: building 436, Flight Kitchen. You did, at RAF Feltwell UK, on or about 21 Sep 98, without authority, fail to go

at the time prescribed to your appointed place of duty, to wit: Firing Range. You did, on or about 25 Sep 98, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: building 450. Suspended reduction to Airman. Fifteen days extra duty. (No appeal) (No mitigation)

- e. Additional: LOR/UIF, 14 SEP 98 - Failure to make required progress in the Weight Management Program.  
LOR/UIF, 09 SEP 98 - Failed to obey a lawful order.  
LOA, 01 DEC 97 - Disrespect to a superior commissioned officer.  
LOR, 10 JUN 97 - Larceny and wrongful appropriation.  
LOR, 06 FEB 97 - Late for work.  
RIC, 30 DEC 96 - Late for work.  
RIC, 11 DEC 96 - Missed appointment.
- f. CM: None.
- g. Record of SV: 17 Jul 96 - 22 May 98 RAF Mildenhall 3 (Initial)REF
- h. Awards & Decs: AFTR, AFOUA, AFOSLTR.
- i. Stmt of Sv: TMS: (02) Yrs (08) Mos (01) Das  
TAMS: (02) Yrs (04) Mos (00) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 28 Jun 05.  
(Change Discharge to Honorable, and Change the RE Code, Reason and Authority for Discharge)

Issue 1: My reentry code is 2B and I would like a chance back in the armed forces. The code says I am ineligible for reentry to military.

**ATCH**  
None.

7DEC05/ia



DEPARTMENT OF THE AIR FORCE  
UNITED STATES AIR FORCES IN EUROPE

FD2005-00396

22 October 1998

MEMORANDUM FOR AMN: [REDACTED], 100<sup>TH</sup> SERVICES SQUADRON

FROM: 100 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 and AFI 36-3208, Chapter 5, Section H, Paragraph 5.49. 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. On 9 December 1996, you failed to report to your scheduled Equal Opportunity and Treatment Training. As a result, you received a Record of Individual Counseling, dated 11 December 1996.
  - b. On 29 December 1996, you reported to work forty minutes late. For your misconduct, you received a Record of Individual Counseling dated, 30 December 1996.
  - c. On 6 February 1997, you failed to report to work at the required time. For your dereliction, you received a Letter of Reprimand dated, 6 February 1997.
  - d. On 2 June 1997, while your roommate was on leave, you removed £60 from her dresser without her permission in order to purchase a train ticket to Liverpool. For wrongfully appropriating your roommate's money, you received a Letter of Reprimand dated, 10 June 1997.
  - e. On 27 November 1997, you spoke inappropriately toward Colonel [REDACTED] while you were completing a carryout meal for a customer. As a result, you received a Letter of Admonishment, dated 1 December 1997.
  - f. On 4 September 1998, you failed to report to work at the required time of 0600 hours. You reported to work at 0730 hours after being awakened by Airman Basic [REDACTED]. As a result, you received a Letter of Reprimand dated, 9 September 1998. An Unfavorable Information File (UIF) was also established.
  - g. On 17 September 1998, you failed to report to work on time. On 21 September 1998, you failed to go to the firing range at the required time. On 25 September 1998, you failed to report to building 450 at the time prescribed. For your repeated failures to report on time for duty, you received nonjudicial punishment under Article 15, UCMJ, dated 1 October 1998. As a result of the nonjudicial punishment, you received a suspended reduction to the grade of Airman and fifteen days extra duty.
  - h. Between 8 October 1998 and 9 October 1998, you failed to obey a lawful order issued by SSgt [REDACTED] to wear your Chef Whites while performing duties at the dining facility. On 14 October 1998, you failed to obey a lawful order issued by TSgt [REDACTED] to wear your Chef Whites while working at the dining facility. On both 9 October 1998 and 10 October 1998, you failed to report on time for work. For your disobedience and repeated failures to report on time for work, your suspended nonjudicial punishment was vacated on 22 October 1998 and you were reduced to the grade of Airman.

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.
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 Capt. [redacted] Area Defense Counsel, at Building 976, RAF Lakenheath, DSN 226-3608, on Friday, 30 October 1998, at 0900 hours. 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 Monday, 2 November 1998 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 Building 954, RAF Lakenheath, Physical Exams Section, on Thursday, 29 October 1998 at 0730, with your medical records. You must be in uniform. If you have been prescribed glasses, you must wear your glasses to the appointment.
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 the unit orderly room or the Area Defense Counsel office.

[redacted signature box]

Commander

Attachments:

1. Airmen's Acknowledgment
2. Record of Individual Counseling, dated 11 December 1996
3. Record of Individual Counseling, dated 30 December 1996
4. Letter of Reprimand, dated 6 February 1997
5. Letter of Reprimand, dated 10 June 1997
6. Letter of Admonishment, dated 1 December 1997
7. Letter of Reprimand w/ UIF, dated 9 September 1998
8. Record of Nonjudicial Punishment, dated 1 October 1998
9. Vacation of Suspended Nonjudicial Punishment, dated 22 October 1998
10. Letter of Reprimand w/ UIF, dated 14 September 1998 (Other Derogatory Data)
11. EPRs
12. RIP