

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

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

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; width: 100%; height: 100%;"></div>					X
<div style="border: 1px dashed black; width: 100%; height: 100%;"></div>					X
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<div style="border: 1px dashed black; width: 100%; height: 100%;"></div>					X
<div style="border: 1px dashed black; width: 100%; height: 100%;"></div>					X

ISSUES	<b>A01.47</b> <b>A02.21</b> <b>A93.09</b>	INDEX NUMBER	<b>A67.90</b> <b>A67.00</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 HE

HEARING DATE	<b>05 Oct 2006</b>	CASE NUMBER	<b>FD-2005-00430</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.

<div style="border: 1px dashed black; height: 40px; width: 100%;"></div>	<b>INDORSEMENT</b>	DATE: 10/12/2006
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-2005-00430**

**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 received General discharge for Pattern of Misconduct--Conduct Prejudicial to Good Order and Discipline

Applicant contends that his discharge was a premature act by his commander and his commander failed to act in his time of need specifically to be readmitted into ADAPT program. The records indicate that the applicant received two Article 15s, a Letter of Reprimand and two Records of Individual Counseling for misconduct including late for duty, drinking under the age of twenty-one, willful damage of government property and assault on three security forces personnel. In addition the records reveal the applicant was entered in ADAPT on 6 Oct 04 and was failed from the program because of non-compliance with program requirements. After thorough review of the evidence the Board concluded that the misconduct was a significant departure from conduct expected from all military personnel and found no inequity or impropriety in the discharge. The Board opined that through the administrative actions, the applicant had ample opportunities to change his negative behavior. 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 AB) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Dover AFB, DE on 9 Feb 05 UP AFI 36-3208, para 5.50.2 (Pattern of Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 14 Mar 84. Enlmt Age: 19 11/12. Disch Age: 20 10/12. Educ: HS DIPL. AFQT: N/A. A-52, E-53, G-80, M-82. PAFSC: 2F031 - Fuels Apprentice. DAS: 30 Aug 04.

b. Prior Sv: (1) ARNG 17 Oct 01 - 03 Mar 04 Svd: 2 Yrs 4 Mo 17 Das, of which AMS is 5 months 6 days.

3. **SERVICE UNDER REVIEW:**

a. Enlisted as Amn 4 Mar 04 for 4 yrs. Svd: 00 Yrs 11 Mo 06 Das, all AMS.

b. Grade Status: AB - 20 Dec 04 (Article 15, 20 Dec 04)  
Amn - 02 Sep 04 (Article 15, 02 Sep 04)  
A1C - 04 Mar 04

c. Time Lost: None.

d. Art 15's: (1) 20 Dec 04, Dover AFB, DE - Article 92. You, who knew of your duties, on or about 16 Nov 04, were derelict in the performance of those duties in that you willfully failed to refrain from consuming alcoholic beverages while under age 21, as it was your duty to do. Reduction to AB, and restriction to the limits of the Industrial Side of Dover AFB, DE for 30 days. (No appeal) (No mitigation)

(2) 02 Sep 04, Dover AFB, DE - Article 92. You, who knew of your duties, on or about 30 Jul 04, were derelict in the performance of those duties in that you willfully failed to refrain from consuming alcoholic beverages while under age 21, as it was your duty to do. Article 108. You, did, on or about 30 Jul 04, without proper authority, willfully damage by kicking, punching, and throwing a chair, Room 146 of Building 445, military property of the United States, the amount of said damage being of some value. Article 128. You, did, on or about 30 Jul 04, assault SSgt [REDACTED], who then was and was then known by you to be a person then having and in the execution of Air Force security police

duties, by punching him in the face. You, did, on or about 30 Jul 04, assault TSgt [REDACTED], who then was and was then known by you to be a person then having and in the execution of Air Force security police duties by punching him in the face. You, did, on or about 30 Jul 04, unlawfully strike A1C [REDACTED] [REDACTED] in the face and arm, with your foot. Reduction to Airman (E-2), forfeiture of \$668.00 pay per month for two months, restriction to the limits of the Industrial Side of Dover AFB for 60 days, and 45 days extra duty. (No appeal) (No mitigation)

- e. Additional: LOR/UIF, 16 JUL 04 - Underage drinking.  
RIC, 08 JUL 04 - Late for work.  
RIC, 25 JUN 04 - Late for work.
- f. CM: None.
- g. Record of SV: None.
- h. Awards & Decs: AFOUA, NDSM, GWOTSM, AFTR, ARSM.
- i. Stmt of Sv: TMS: (03) Yrs (03) Mos (23) Das  
TAMS: (01) Yrs (04) Mos (12) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 04 Nov 05.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. Copy of Discharge Documents.
3. Three Character References.

9DEC05/ia

AA

**APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE ARMED FORCES OF THE UNITED STATES**  
*(Please read instructions on Pages 3 and 4 BEFORE completing this application.)*

Form Approved  
 OMB No. 0704-0004  
 Expires Aug 31, 2006

The public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Service and Communications Directorate (0704-0004). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO THE APPROPRIATE ADDRESS ON BACK OF THIS PAGE.

**PRIVACY ACT STATEMENT**

**AUTHORITY:** 10 U.S.C. 1553; E.O. 9397.  
**PRINCIPAL PURPOSE(S):** To apply for a change in the characterization or reason for military discharge issued to an individual.  
**ROUTINE USE(S):** None.  
**DISCLOSURE:** Voluntary; however, failure to provide identifying information may impede processing of this application. The request for Social Security Number is strictly to assure proper identification of the individual and appropriate records.

**1. APPLICANT DATA (The person whose discharge is to be reviewed). PLEASE PRINT OR TYPE INFORMATION.**

a. BRANCH OF SERVICE (X one)	ARMY	MARINE CORPS	NAVY	<input checked="" type="checkbox"/> AIR FORCE	COAST GUARD
b. NAME (Last, First, Middle Initial)	c. GRADE/RANK AT DISCHARGE		d. SOCIAL SECURITY NUMBER		
	E-1				

2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149)	4. DISCHARGE CHARACTERIZATION RECEIVED (X one)	5. BOARD ACTION REQUESTED (X one)
	<input checked="" type="checkbox"/> HONORABLE	
20050209	<input checked="" type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS	CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION 436th LRS Dover AFB, DE	UNDER OTHER THAN HONORABLE CONDITIONS	CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)
	BAD CONDUCT (Special court-martial only)	CHANGE NARRATIVE REASON FOR SEPARATION TO:
	UNCHARACTERIZED	
	OTHER (Explain)	

**6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in item 14. See instructions on Page 3.)**  
 I feel that my discharge from the U.S. Air Force was a premature act on behalf of my commander. My commander failed to help me in my time of need, knowing the hardships I already faced he still decided to seek my separation. His decision was unfair. He knowingly ignored my pleas to remain in the Air Force, and made it difficult for me to re-enlist, this was a very formidable act. Therefore I am requesting that an Honorable Discharge be granted on my behalf.

**7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON (YYYYMMDD) AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE.**

**8. IN SUPPORT OF THIS APPLICATION, THE FOLLOWING ATTACHED DOCUMENTS ARE SUBMITTED AS EVIDENCE: (Continue in item 17. If military documents or medical records are relevant to your case, please send copies.)**  
 1. Memorandum for congressman Owens office, dated 25 Jan 05  
 2. Receipt of notification memorandum, dated 19 Jan 05  
 3. AF Form 3070, Record of Non Judicial Punishment, dated 20 Dec 04 w/UIF  
 4. AF Form 3070, Record of Non Judicial Punishment, dated 2 Sep 02 w/UIF \*continued in item 15\*

**9. TYPE OF REVIEW REQUESTED (X one)**

CONDUCT A RECORD REVIEW OF MY DISCHARGE BASED ON MY MILITARY PERSONNEL FILE AND ANY ADDITIONAL DOCUMENTATION SUBMITTED BY ME. I AND/OR (counsel/representative) WILL NOT APPEAR BEFORE THE BOARD.

I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE THE BOARD IN THE WASHINGTON, D.C. METROPOLITAN AREA.

I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE A TRAVELING PANEL CLOSEST TO (enter city and state) (NOTE: The Navy Discharge Review Board does not have a traveling panel.)

**10. a. COUNSEL/REPRESENTATIVE (if any) NAME (Last, First, Middle Initial) AND ADDRESS (See item 10 of the instructions about counsel/representative.)**

b. TELEPHONE NUMBER (Include Area Code)

c. E-MAIL

d. FAX NUMBER (Include Area Code)

**11. APPLICANT MUST SIGN IN ITEM 13.a. BELOW. If the record in question is that of a deceased or incompetent person, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY THE APPLICATION. If the application is signed by other than the applicant, indicate the name (print) and relationship by marking a box below.**

SPOUSE  WIDOW  WIDOWER  NEXT OF KIN  LEGAL REPRESENTATIVE  OTHER (Specify)

**12. a. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON ABOVE (Forward notification of any change in address.)**

b. TELEPHONE NUMBER (Include Area Code)

c. E-MAIL

d. FAX NUMBER (Include Area Code)

**13. CERTIFICATION. I make the foregoing statements, as part of my claim, with full knowledge of the penalties involved for willfully making a false statement or claim. (U.S. Code, Title 18, Sections 287 and 1001, provide that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)**

a. SIGNATURE - REQUIRED (A signature of person in item 11 above)

b. DATE SIGNED - REQUIRED (YYYYMMDD)

20051104

**CASE NUMBER**  
*(Do not write in this space.)*  
 FD2005-00430

14. CONTINUATION OF ITEM 6, ISSUES (If applicable)

15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable)

- 5. LOR, dated 16 Jul 04 w/UIF
  - 6. RIC, dated 25 Jun 04
  - 7. Memorandum for 436th LRS/CC, from A1c: \_\_\_\_\_, dated 16 Dec 04
  - 8. Memorandum for 436th LRS/CC, from A1c: \_\_\_\_\_, dated 16 Jan 04
  - 9. Memorandum for 436th LRS/CC, from SrA: \_\_\_\_\_ and SrA: \_\_\_\_\_, dated 15 Dec 04
  - 10. Memorandum for 436th LRS/CC, from A1c: \_\_\_\_\_, dated 1 Sep 04
  - 11. Memorandum for 436th LRS/CC, from A1c: \_\_\_\_\_, dated 21 Jan 05
  - 12. Character statement on behalf of AB: \_\_\_\_\_, from Ssgt: \_\_\_\_\_
  - 13. Character statement on behalf of: \_\_\_\_\_, from Spc: \_\_\_\_\_
  - 14. Character statement on behalf of: \_\_\_\_\_, from: \_\_\_\_\_
- \*END\*

16. REMARKS (If applicable)

**MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.**

<p style="text-align: center;"><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 style="text-align: center;"><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 style="text-align: center;"><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 style="text-align: center;"><b>COAST GUARD</b></p> <p>U.S. Coast Guard Commandant (G-WPM) 2100 Second Street, S.W. Room 5500 Washington, DC 20593</p>

November 3, 2005

## MEMORANDUM FOR AIR FORCE DISCHARGE REVIEW BOARD

CC: CONGRESSMAN: [REDACTED] OFFICE

FROM: [REDACTED]

SUBJECT: Request for Upgrade of Characterization of Discharge

1. On February 9, 2005, I was discharged from Active Duty in the U.S. Air Force. I received notification of my commander's recommendation for separation on January 19, 2005. I submitted a rebuttal to my commander (Maj: [REDACTED], CC, 436<sup>th</sup> LRS) and requested a personal appearance before the separation authority (Col: [REDACTED], CC, 436<sup>th</sup> AW), which was later denied. The reason for my commander's recommendation was a pattern of misconduct. The specific items referenced as comprising this pattern were one Letter of Reprimand (LOR) and two Article 15s.

2. The LOR I received was for an alcohol related incident in which a bottle of liquor was found in my room during a surprise room inspection conducted by my 1<sup>st</sup> Sgt, SMSgt: [REDACTED]. SMSgt: [REDACTED] made it clear to me that when alcohol is found in an underage person's dormitory room the result is the issuance of an LOR. In January of 2005, SMSgt: [REDACTED] conducted another room inspection where he found alcohol in the dorm room of A1C: [REDACTED] (20 years old). While investigating the situation, it became apparent the alcohol belonged to another Airman, Amn: [REDACTED] (21 years old). A1C: [REDACTED] received no reprimand and no counseling, despite there being alcohol in his room and SMSgt: [REDACTED] statement regarding the consequences of alcohol in an underage person's room.

3. I received my first Article 15 for another alcohol related incident which took place on Jul 29, 2004, where SrA: [REDACTED] (436<sup>th</sup> APS) and A1C: [REDACTED] (436<sup>th</sup> CES) supplied me with alcohol, and A1C: [REDACTED] and I got into an altercation with SrA: [REDACTED] (436<sup>th</sup> CES), and further altercations with Security Forces personnel. Neither SrA: [REDACTED] nor A1C: [REDACTED] received punishments for supplying me with alcohol.

4. Finally, my last Article 15 was for an incident that occurred off base where alcohol was involved and the city of Dover had me pay a fine. These incidents, all alcohol related, influenced my commander's decision to recommend my discharge. However, I strongly feel my commander's decision was unfair. I requested of him and SMSgt: [REDACTED] many times that I be admitted into the ADAPT program again, as well as being allowed to attend an in-patient treatment program to help me overcome the urge to drink underage, as other Airmen at Dover AFB had been allowed to do, but my requests were denied and ignored. My chain of command, management and immediate supervision failed and refused to support me when I requested and volunteered for things that would help me become more of an asset to the U.S. Air Force, such as the Governors Fall Festival, Adopt-a-Highway, the Base Honor Guard, Survival School, deployments and the annual Daedallion, but was always denied, and every effort I made to prove I was a good troop was overlooked. Other troops got into trouble with alcohol and misconduct at Dover AFB, but I feel my situation was overemphasized while others were swept under the rug

recommended his discharge, but gave him the additional option to go 'Green' into the Army. When I informed Maj: [redacted] that I would like to go back into the Army to continue my service to the nation, he and SMSgt: [redacted] found it to be distasteful. Maj: [redacted] stated in writing that upon my discharge, I would not be able to re-enlist in the regular Air Force or Air Force Reserve, resulting in my receiving a re-enlistment eligibility code of 2B, which inhibits me from joining any other branch of the military. Maj: [redacted] knew of the hardships my family and I faced, and he knew of the large pay cut I took after leaving the Army National Guard as an E-4 and coming into the Air Force as an E-3, eventually being reduced to an E-1. He was aware that all I wanted was to serve in the military honorably. He knew that upon my discharge I would return to Brooklyn, NY, and would not be able to support my family or myself due to the economic instability of my neighborhood. Knowing these facts, he and SMSgt: [redacted] failed to act as my squadron commander and 1<sup>st</sup> Sgt should have, but rather ignored my pleas to remain an Airman and to obtain immediate help.

5. I am in no way using A1C: [redacted], A1C: [redacted], SrA: [redacted] or AB: [redacted] as scapegoats for my problems. I accept full responsibility for my poor judgment in consuming alcohol underage. I am merely asking that the Discharge Review Board recognize that my commander made a recommendation that was unfair, premature and biased while he and SMSgt: [redacted] practiced questionable leadership, and to also keep in mind that with the support of family and friends I have overcome and taken full control of my drinking problem.

6. In closing, I request that my discharge characterization, separation and re-enlistment eligibility codes all be upgraded to Honorable status so that I will be eligible to re-enlist in the U.S. Air Force or other branch of the Armed Forces of this great nation, help defend it and correct my mistakes.



**Attachments:**

1. Memorandum for congressman: [redacted] office, dated 25 Jan 05
2. Receipt of notification memorandum, dated 19 Jan 05
3. AF Form 3070, Record of Non Judicial Punishment, dated 20 Dec 04 w/UIF
4. AF Form 3070, Record of Non Judicial Punishment, dated 2 Sep 02 w/UIF
5. LOR, dated 16 Jul 04 w/UIF
6. RIC, dated 25 Jun 04
7. Memorandum for 436th LRS/CC, from A1c: [redacted] dated 16 Dec 04
8. Memorandum for 436th LRS/CC, from A1c: [redacted] dated 16 Jan 04
9. Memorandum for 436th LRS/CC, from SrA: [redacted] and SrA: [redacted], dated 15 Dec 04
10. Memorandum for 436th LRS/CC, from A1c: [redacted] dated 1 Sep 04
11. Memorandum for 436th LRS/CC, from A1c: [redacted] dated 21 Jan 05
12. Character statement on behalf of AB: [redacted] from Ssgt: [redacted]
13. Character statement on behalf of: [redacted] from Spc: [redacted]
14. Character statement on behalf of: [redacted] from [redacted]





**DEPARTMENT OF THE AIR FORCE**  
 436 LOGISTICS READINESS SQUADRON  
 DOVER AFB, DELAWARE 19902

JAN 19 2005

MEMORANDUM FOR AB [REDACTED] 436 LRS

FROM: 436 LRS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for a Pattern of Misconduct, specifically, Conduct Prejudicial to Good Order and Discipline. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.50.2. I am recommending that your service be characterized as an Under Honorable Conditions (General) Discharge.

2. My reason for this action is:

a. On or about 16 Nov 04, you were derelict in the performance of your duties in that you drank alcoholic beverages while under age 21. For this misconduct you received an Article 15, dated 20 Dec 04. This document was added to your Unfavorable Information File (UIF);

b. On or about 30 Jul 04, you did the following: you were derelict in the performance of your duties in that you drank alcoholic beverages while under age 21; willfully damaged military property of the United States; assaulted SSgt [REDACTED] and TSgt [REDACTED]; Air Force security police, by punching them in the face; and, you unlawfully struck AIC [REDACTED] in the face and arm. For this misconduct you received an Article 15, dated 2 Sep 04. This document was added to your UIF;

c. On or about 8 Jul 04, you failed to obey an order by consuming alcoholic beverages while under the age of 21. For this misconduct you received a Letter of Reprimand, dated 16 Jul 04. This document established your UIF;

d. On or about 8 Jul 04, you were late for duty. For this misconduct you received a Record of Individual Counseling, dated 8 Jul 04; and

e. On or about 25 Jun 04, you were late for duty. For this misconduct you received a Record of Individual Counseling, dated 25 Jun 04.

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 Captain [redacted] at Bldg 263, on **Wed, 19 Jan 05, at 1500 hrs**. 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 **3 duty days** 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 Family Practice, Bldg 305, Second Floor on **Thurs, 20 Jan 05, at 1010 hrs with Dr. [redacted]** for the examination.
8. You have been scheduled for a **separations briefing**. Please report to Building 261, Room 102, **Thurs, 20 Jan 05, at 1100 hrs**. If you have any questions regarding this appointment, please call 2155.
9. 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 Orderly Room.
10. Execute the attached acknowledgment and return it to me immediately.

[redacted]  
COMMANDER

Attachments:

1. Receipt of Notification Memorandum
2. ID Card Withdrawal Letter
3. Recoupment Statement
4. AF Form 3070, Record of Nonjudicial Punishment, dated 20 Dec 04 w/UIF and atch
5. AF Form 3070, Record of Nonjudicial Punishment, dated 2 Sep 04 w/UIF and atch
6. LOR, dated 16 Jul 04 w/UIF
7. RIC, dated 8 Jul 04
8. RIC, dated 25 Jun 04