

## 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 A1C	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
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TYPE GEN COUNSEL YES    No <input type="checkbox"/> <input checked="" type="checkbox"/>	PERSONAL APPEARANCE NAME OF COUNSEL AND OR ORGANIZATION	X	RECORD REVIEW ADDRESS AND OR ORGANIZATION OF COUNSEL
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MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; width: 100%; height: 100%;"></div>					X
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ISSUES A93.11 A94.53	INDEX NUMBER A67.90	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> </thead> <tbody> <tr><td style="width: 20px; text-align: center;">1</td><td>ORDER APPOINTING THE BOARD</td></tr> <tr><td style="text-align: center;">2</td><td>APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td style="text-align: center;">3</td><td>LETTER OF NOTIFICATION</td></tr> <tr><td style="text-align: center;">4</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> </tbody> </table>	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
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HEARING DATE 25 May 2006	CASE NUMBER FD-2005-00435	
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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 at 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.

SIGNATURE OF RECORDER <div style="border: 1px dashed black; height: 30px; width: 100%;"></div>	SIGNATURE OF BOARD PRESIDENT <div style="border: 1px dashed black; height: 30px; width: 100%;"></div>
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INDORSEMENT 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, 2E WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002 DATE: 5/30/2006
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2005-00435**

**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 a General Discharge for Pattern of Misconduct – Conduct Prejudicial to Good Order and Discipline.

Applicant contends that at the time of his service, he was not financially sound and is now hindered from getting certain jobs because of this mistake he has learned from. The records indicated the applicant received an Article 15, five Letters of Reprimand, and two Letters of Counseling, for misconduct to include tardiness, failure to be available for a recall, dereliction of duty, and numerous instances of financial irresponsibility. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. Although the Board was sympathetic as to the impact the characterization of his discharge was having on the applicant, this is not a matter of inequity or impropriety which would warrant an upgrade. The Board concluded the misconduct was a significant departure from conduct expected of all military members, and 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 USAF Whiteman AFB, MO on 30 Aug 99 UP AFI 36-3208, para 5.50.2 (Pattern of Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 20 Apr 77. Enlmt Age: 19 1/12. Disch Age: 22 4/12. Educ: HS DIPL. AFQT: N/A. A-72, E-49, G-41, M-62. PAFSC: 3A031 - Information Management Apprentice. DAS: 15 Feb 97.

b. Prior Sv: (1) AFRes 6 Jun 96 - 12 Nov 96 (5 months 7 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 13 Nov 96 for 4 yrs. Svd: 02 Yrs 09 Mo 18 Das, all AMS.

b. Grade Status: A1C - 13 Mar 98  
Amn - 13 May 97

c. Time Lost: None.

d. Art 15's: (1) 22 mar 99, Whiteman AFB, MO - Article 134. You did, on or about 13 Jan 99, make and utter to the Army and Air Force Exchange Service a certain check, in words or figures as follows, to wit: \$20.49, for the purchase of goods or services, and did thereafter dishonorably fail to maintain sufficient funds in the Pentagon Federal Credit Union for the payment of such check in full upon its presentment for payment. Thirty days extra duty. (Appeal/Denied) (No mitigation)

e. Additional: LOR/UIF, 03 AUG 99 - Financial irresponsibility.  
LOR/UIF, 30 JUL 99 - Financial irresponsibility.  
LOR/UIF, 09 MAR 99 - Financial irresponsibility.  
LOC, 01 MAR 99 - Dereliction of duty.  
LOC, 04 MAR 98 - Unavailable for recall.  
LOR, 22 DEC 97 - Financial irresponsibility.  
LOR, 24 NOV 97 - Late for duty.

f. CM: None.

g. Record of SV: 13 Nov 96 - 12 Jul 98 Whiteman AFB 4 (Initial)

h. Awards & Decs: AFTR, SAEMR W/DEV, AFOUA W/1 DEV.

i. Stmt of Sv: TMS: (03) Yrs (02) Mos (25) Das  
TAMS: (02) Yrs (09) Mos (18) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 7 Nov 05.  
(Change Discharge to Honorable)

Issue 1: During my time of service I was not financially sound. I know that I have grown from that time. I am now hendered (sic) from getting certain jobs because of this mistake that I have learned from. Would appreciate the assistance in the matter.

**ATCH**  
None.

14DEC05/ia



**DEPARTMENT OF THE AIR FORCE**  
**509th OPERATIONS SUPPORT SQUADRON (ACC)**  
**WHITEMAN AIR FORCE BASE, MISSOURI**

17 AUG 1999

MEMORANDUM FOR AIC: \_\_\_\_\_; 509 OSS

FROM: 509 OSS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for a pattern of misconduct consisting of conduct prejudicial to good order and discipline. The authorities for this action are AFPD 36-32 and AFI 36-3208, paragraph 5.50.2. If my recommendation is approved, your service may be characterized as honorable or under honorable conditions (general). I am recommending that your service be characterized as under honorable conditions (general).

2. My reasons for this action are:

a. On or about 24 Jul 99, your monthly DPP payment was past due. The total amount due was \$86.00, which included \$32.00 of the payment due on 8 Jul 99. Additionally, you owed \$608.11 to the Metropolitan Educational Enterprises, Inc., and you had not made a payment since Jan 99. For this you received a Letter of Reprimand, dated 3 Aug 99. (Atch 1a)

b. On or about 28 Jun 99, you were in excess of sixty days past due on your car loan. The total amount past due was \$475.66. For this you received a Letter of Reprimand, dated 30 Jul 99, which was put in your Unfavorable Information File. (Atch 1b)

c. On or about 13 Jan 99, you wrote a check to the Army and Air Force Exchange Service in the amount of \$20.49 and thereafter dishonorably failed to maintain sufficient funds in the Pentagon Credit Union for payment in full of said check upon presentment. For this you received an Article 15 (AF Form 3070), dated 11 Mar 99. (Atch 1c)

d. On or about 22 Feb 99, you were in excess of sixty days past due on your Exchange Credit Account (DPP). The total amount past due was \$77.00. For this you received a Letter of Reprimand, dated 9 Mar 99. (Atch 1d)

e. On or about 1 Mar 99, you neglected to accomplish your assigned duties. Some of the duties, you failed to accomplish are as follows: you failed to return tickets to TMO for a canceled TDY, you failed to accomplish a Visit Notice as directed, you failed to complete Courier letters required for an exercise, and you failed to destroy manuals and disks for software as directed. For this you received a Letter of Counseling, dated 1 Mar 99. (Atch 1e)

f. On or about 2 Mar 98, you were not available for recall during a generation exercise (GENEX) as required of you. For this you received a Letter of Counseling, dated 4 Mar 98. (Atch 1f)

g. On or about 18 Dec 97, you did not pay repair costs pursuant to a previous vehicular accident agreement made between you and Mrs. \_\_\_\_\_; This was a third separate occasion in which you failed to pay. Additionally on or about 20 Nov 97, you made the payment with a check that had insufficient funds to cover the amount paid. For this you received a Letter of Reprimand, dated 22 Dec 97. (Atch 1g)

h. On or about 24 Nov 97, you failed to show up on time to your appointed place of duty to wit: 509 OSS Squadron. For this you received a Letter of Reprimand, dated 24 Nov 97. (Atch 1h)

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising Special Court-Martial convening authority 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 and any special pay, bonus, or education assistance funds may be subject to recoupment.
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; \_\_\_\_\_ at building 509 on 23 Aug 99 at 0900. 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 23 Aug 99 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 Physical Exams at 0920 on 18 Aug 99 for the examination.
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 in your Orderly Room.
9. Execute the attached acknowledgment and return it to me immediately.

\_\_\_\_\_

✓  
Commander

Attachments:

1. Supporting documents -- for the reason for discharge
  - a. LOR, dated 3 Aug 99
  - b. LOR, dated 30 Jul 99
  - c. AF Form 3070, dated 11 Mar 99
  - d. LOR, dated 9 Mar 99
  - e. LOC, dated 1 Mar 99
  - f. LOC, dated 4 Mar 98
  - g. LOR, dated 22 Dec 97
  - h. LOR, dated 24 Nov 97
2. Documents containing derogatory information -- which are not listed in the notification memorandum: None
3. Airman's receipt of notification memorandum, dated 17 AUG 1999