

**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  SRA	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
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TYPE UOTH	<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="padding: 2px;">COUNSEL</th> <th style="padding: 2px;">NAME OF COUNSEL AND OR ORGANIZATION</th> </tr> <tr> <td style="padding: 2px;"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">YES</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;"><b>X</b></td> </tr> </table> </td> <td style="padding: 2px;"></td> </tr> </table>	COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">YES</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;"><b>X</b></td> </tr> </table>	YES	No		<b>X</b>		ADDRESS AND OR ORGANIZATION OF COUNSEL		
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YES	No										
	<b>X</b>										

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; height: 20px; width: 100%;"></div>		X			
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ISSUES <b>A94.06</b>	INDEX NUMBER <b>A67.50</b>	<b>EXHIBITS SUBMITTED TO THE BOARD</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="padding: 2px;"><b>1</b></td><td style="padding: 2px;">ORDER APPOINTING THE BOARD</td></tr> <tr><td style="padding: 2px;"><b>2</b></td><td style="padding: 2px;">APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td style="padding: 2px;"><b>3</b></td><td style="padding: 2px;">LETTER OF NOTIFICATION</td></tr> <tr><td style="padding: 2px;"><b>4</b></td><td style="padding: 2px;">BRIEF OF PERSONNEL FILE</td></tr> <tr><td style="padding: 2px;"></td><td style="padding: 2px;">COUNSEL'S RELEASE TO THE BOARD</td></tr> <tr><td style="padding: 2px;"></td><td style="padding: 2px;">ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td></tr> <tr><td style="padding: 2px;"></td><td style="padding: 2px;">TAPE RECORDING OF PERSONAL APPEARANCE HE</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 HE
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HEARING DATE: <b>19 Sep 2006</b>	CASE NUMBER <b>FD-2005-00480</b>	
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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.

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

**INDORSEMENT**

DATE: 9/25/2006

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-2005-00480**

**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:** The request for upgrade of discharge to honorable is denied. However, the discharge is upgraded to general.

The Board finds that neither the evidence of record nor that provided by applicant substantiates an impropriety that would justify a change of discharge. However, based upon the record and evidence provided by applicant, the Board finds the applicant's discharge was too harsh and approved an upgrade of discharge to General.

**ISSUE:**

After a thorough and complete consideration of the information provided by the applicant and contained in the records, the DRB concluded there was sufficient mitigation to substantiate upgrading the discharge. Specifically, the Board found that the characterization was too harsh. Although the DRB did not condone the misconduct of the applicant, a General discharge was deemed appropriate and equitable.

**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.

However, in view of the foregoing findings, the Board further concludes that the overall quality of applicant's service is more accurately reflected by a General discharge.

Attachment:

Examiner's Brief

DEPARTMENT OF THE AIR FORCE  
AIR FORCE DISCHARGE REVIEW BOARD  
ANDREWS AFB, MD

(Former SRA) (HGH SSGT)

1. **MATTER UNDER REVIEW:** Appl rec'd a UOTHC Disch fr USAF Bolling AFB, DC on 30 Jun 05 UP AFI 36-3208, para 5.50 (Pattern of Misconduct). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 26 Jul 76. Enlmt Age: 20 4/12. Disch Age: 28 11/12. Educ: HS DIPL. AFQT: N/A. A-45, E-44, G-36, M-25. PAFSC: 3A051 - Information Management Journeyman. DAS: 19 Nov 04.

b. Prior Sv: (1) AFRes 10 Dec 96 - 25 Feb 97 (2 mos 16 days) (Inactive).

(2) Enlisted as Amn 26 Feb 97 for 4 years. Reenlisted as SrA 26 Feb 00 for 4 years. Svd: 06 yrs 04 mos 05 das. A1C - 26 Dec 97. SrA - 26 Aug 99, SSgt - 1 Jan 02. EPRs: 5,5,5,5,5.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SSgt 1 Jul 03 for 5 yrs. Svd: 02 Yrs 00 Mo 00 Das, all AMS.

b. Grade Status: SRA - 25 May 05 (Summary CM, 25 May 05)

c. Time Lost: None.

d. Art 15's: None.

e. Additional: None.

f. CM: Summary Court Martial - 25 May 05.

CHARGE I: Article 86.

Specification: In that SSgt [REDACTED], USAF, 11 CS, Bolling AFB, DC, did, within the continental US, on or about 22 Jul 2004, without authority, fail to go at the time prescribed to her appointed place of duty, to wit: the XOXW Division Office, Pentagon, Arlington, VA. Plea: Guilty. Finding: Guilty.

CHARGE II: Article 92.

Specification: In that SSgt [REDACTED], USAF, 11 CS, Bolling AFB, DC, who knew or should have known of her duties within the continental US, on divers occasions, between on or about 16 Jul 2004 and on or about 23 Jul 2004, was derelict in the

**APPLICATION FOR THE REVIEW OF DISCHARGE OR DISMISSAL 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 Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0004), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. 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 ADDRESS. 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-4				

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)
20050630	<input checked="" type="checkbox"/> HONORABLE	<input checked="" type="checkbox"/> CHANGE TO HONORABLE
	<input type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
	<input checked="" type="checkbox"/> UNDER OTHER THAN HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)
3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION	<input type="checkbox"/> BAD CONDUCT (Special court-martial only)	<input type="checkbox"/> CHANGE NARRATIVE REASON FOR SEPARATION TO:
11CS Bolling AFB Washington DC	<input type="checkbox"/> UNCHARACTERIZED	
	<input type="checkbox"/> 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.)  
 ① my discharge was inequitable because it was based on the isolated incident in 8 years, 4 months of service with no other adverse actions.

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 DD Form 214  
 ② Character letters from incident, written in support of my case (17)  
 ③ Personal data sheet - dated 01/10/05 for support of no prior adverse actions.

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 (For use if notification of your status is returned)

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 (Applicant or person in Item 11 above)

b. DATE SIGNED - REQUIRED (YYYYMMDD)

2005.11.30

CASE NUMBER (Do not write in this space.)  
 FD 2005-00480



DEPARTMENT OF THE AIR FORCE  
11<sup>th</sup> Wing



MAY 25 2005

MEMORANDUM FOR STAFF SERGEANT: [REDACTED]; 11 CS

FROM: 11 CS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for a pattern of misconduct. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.50. Copies of the documents to be forwarded to the separation authority to support this recommendation are attached.

2. My reason for this action is that, on 11 May 2005, I preferred the following charges against you and on 19 May 2005, Colonel: [REDACTED], the Mission Support Group Commander, referred your case to trial by summary court-martial:

a. You did, within the continental United States, on or about 22 July 2004, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: the XOXW Division Office, Pentagon, Arlington, Virginia.

b. You, who knew or should have known of your duties within the continental United States, on divers occasions, between on or about 16 July 2004 and on or about 23 July 2004, were derelict in the performance of those duties in that you willfully failed to refrain from using your government travel card for personal expenses, as it was your duty to do, by spending over \$4,500 for personal use.

c. You did, at or near Oxon Hill, Maryland, between on or about 1 January 2004 and on or about 21 July 2004, wrongfully possess a firearm which was not registered to you in the National Firearms Registration and Transfer Record, in violation of 26 United States Code Section 5861(d).

d. You did, at or near Oxon Hill, Maryland, between on or about 1 January 2004 and on or about 21 July 2004, wrongfully possess a firearm having the serial number required by Chapter 53, Title 26, United States Code, obliterated, removed, changed, or altered, in violation of 26 United States Code Section 5861(h).

e. For this, you were convicted at Summary Court-Martial and received a sentence of reduction to the grade of senior airman.

3. This action could result in your separation under other than honorable conditions (UOTHC). I am recommending you receive a UOTHC discharge. The commander exercising special court-martial jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force and will probably be denied enlistment in any component of the armed forces. Any special pay, bonus, or education assistance funds may be subject to recoupment.

WORLD CLASS PEOPLE ... WORLD CLASS SUPPORT

Received Time Feb. 1. 1:04PM

11. Execute the attached acknowledgement and return it to me immediately.



Commander

Attachments:

- 1. Summary Court Martial Record of Trial, 25 May 05, 2 pgs
- 3. SSgt: [redacted] Receipt of Notification Memorandum
- 4. SSgt: [redacted] Board Hearing or Unconditional Waiver