

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) []		GRADE SRA	AFSN/SSAN []						
TYPE	GEN	PERSONAL APPEARANCE		X	RECORD REVIEW				
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL					
YES	No								
	X								
MEMBER SITTING []				VOTE OF THE BOARD					
				HON	GEN	UOTHC	OTHER	DENY	
								X**	
								X**	
								X**	
								X**	
ISSUES A92.00 A92.21 A94.05		INDEX NUMBER A67.10		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				
HEARING DATE 30 Jan 2007		CASE NUMBER FD-2006-00130							
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE									
<p>Case heard in Washington, D.C.</p> <p>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</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p> <p>* Reason and Authority + Reenlistment Code</p> <div style="border: 1px dashed black; height: 40px; width: 100%;"></div>									
INDORSEMENT				DATE: 2/9/2007					
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-2006-00130

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. Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received an Article 15 for misconduct. She received the Article 15 for writing two checks without sufficient funds in her account. She was punished with a suspended reduction in grade to Airman First Class and fourteen days of extra duty. 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 2. Applicant states that she served 41 months of service with only minor financial difficulties around the birth of her daughter. The DRB took note of the applicant's duty performance as documented by her performance reports. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for the reasons which were the basis for this case.

Issue 3. The DRB was pleased to see that the applicant was doing well, continued her education and has a good job as a nurse. However, no inequity or impropriety in her discharge was suggested or found in the course of the hearing. The Board concluded the misconduct of the applicant appropriately characterized her 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)

MISSING DISCHARGE DOCUMENTS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Lackland AFB, TX on 28 Mar 97 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: 27 Nov 74. Enlmt Age: 18 5/12. Disch Age: 22 4/12. Educ: HS DIPL. AFQT: N/A. A-94, E-49, G-50, M-14. PAFSC: 4N151C - Surgical Service Journeyman, Orthopedics. DAS: 22 Apr 94.

b. Prior Sv: (1) AFRes 14 May 93 - 29 Aug 93 (3 months 16 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as Amn 30 Aug 93 for 4 yrs. Svd: 03 Yrs 06 Mo 29 Das, all AMS.

b. Grade Status: SrA - 30 Aug 96
 A1C - 26 Jun 94

c. Time Lost: None.

d. Art 15's: (1) 6 Jan 97, Lackland AFB, TX - Article 134. You, did, between on or about 8 Oct 96 and 17 Oct 96, make and utter to the Lackland AFB Exchange certain checks, in words and figures as follows, to wit: check #463 for \$300.00 and check #471 for \$82.00, for the procurement of United States currency, and did thereafter dishonorably fail to maintain sufficient funds in the Security Service Federal Credit Union for payment of such checks in full upon its presentment for payment. Suspended reduction to A1C. Fourteen days extra duty. (No appeal) (No mitigation)

e. Additional: Unknown.

f. CM: None.

g. Record of SV: 30 Aug 93 - 29 Apr 95 Lackland AFB 4 (Initial)
 30 Apr 95 - 29 Apr 96 Lackland AFB 3 (Annual)

h. Awards & Decs: AFTR, NDSM, AFOUA, AFGCM.

i. Stmt of Sv: TMS: (03) Yrs (10) Mos (15) Das

TAMS: (03) Yrs (06) Mos (29) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 01 Jan 06.
(Change Discharge to Honorable, and Change the RE Code, Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.
2. DD 214.
3. Nonjudicial Punishment Proceedings, 6 Jan 97.

15MAY06/ia

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 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)

1997 03 28

<input type="checkbox"/> HONORABLE	<input checked="" type="checkbox"/> CHANGE TO HONORABLE
<input checked="" type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
<input type="checkbox"/> UNDER OTHER THAN HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)
<input type="checkbox"/> BAD CONDUCT (Special court-martial only)	<input type="checkbox"/> CHANGE NARRATIVE REASON FOR SEPARATION TO:
<input type="checkbox"/> UNCHARACTERIZED	
<input type="checkbox"/> OTHER (Explain)	

3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION
 59th Medical WG Lackland AFB, TX

6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in item 14. See instructions on Page 3.)
 A change is requested in order to reenlist in the Armed Forces & receive educational benefits. Also see attached personal statement of unjust issues.

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.)
 Requested military documents

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.)
 N/A

b. TELEPHONE NUMBER (Include Area Code)

c. E-MAIL
 N/A

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. _____ (11 above)

b. DATE SIGNED - REQUIRED (YYYYMMDD)
 20060410

CASE NUMBER (Do not write in this space.)
 FD2006-00130

April 10, 2006

Department of the Air Force
SAF/MRBR
550-C Street West, Suite 40
Randolph AFB, TX 78150-4742

To Whom it may concern,

This letter is being written in order to request an unjust character of service, separation, narrative reason for separation and reenry code change. I feel my forty-one months of military time was served proudly with only minor financial difficulties noted around the birth of my daughter. I was a team player and a hard worker. Unfortunately being human we sometimes make mistakes despite how hard we try not to. I've learned from every mistake I've made in my life and I'm proud of that and have no wish to change them because those mistakes afforded me the opportunity to grow and learn. Enclosed are copies of my separation and personnel documents that were sent to me in order to support my request. I found that the enclosed documents simply were not justifiable enough for me to deserve a non reenlistment code, the right to fight for my country and deny me the right to my educational benefits.

I requested in 1997 from my commander to be separated from the military so that I could return to my home town with my newborn daughter and receive financial and emotional support from my family. At that time I felt this was the best option for us because being a single parent wasn't easy.

Time has brought about a change for me and I've discovered that certain things that I felt was obsolete twelve years ago is now prevalent and demands attention. I received my Licensed Vocational Nurse Certification in 2000 and just recently graduated as an Associate Degree RN. I've worked as a contract nurse at Wilford Hall Medical Center since January 2002 with integrity, not misconduct, just as I have lived my whole life. With the skills that I've gained in the recent years I feel that they will be better appreciated with reenlistment in the military in order to support the mission. My goal is to take my nursing career to the next level therefore, I'm requesting the above changes. Thank you in advance for your consideration.

Sincerely,