

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) []		GRADE AMN	AFSN/SSAN []				
TYPE GEN	X	PERSONAL APPEARANCE		RECORD REVIEW			
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL			
YES	No	AMERICAN LEGION		1608 K ST NW WASHINGTON DC 20006			
X							
MEMBER SITTING []			VOTE OF THE BOARD				
			HON	GEN	UOTHC	OTHER	DENY
			X				+*
			X				+*
							X+*
			X				+*
ISSUES A94.11 A94.06 A92.37 A39.00		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						
	TAPE RECORDING OF PERSONAL APPEARANCE HE						
HEARING DATE 18 Jan 2007		CASE NUMBER FD-2006-00190					
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 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>+ CHANGE REASON AND AUTHORITY * CHANGE RE CODE</p>							
INDORSEMENT					DATE: 1/18/2007		
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				

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 McConnell AFB, KS on 18 Feb 05 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, and to Change the Reason for Discharge.

2. **BACKGROUND:**

a. DOB: 3 Feb 82. Enlmt Age: 19 7/12. Disch Age: 23 0/12. Educ: HS DIPL. AFQT: N/A. A-50, E-45, G-41, M-50. PAFSC: 2A652 - Aerospace Ground Equipment Journeyman. DAS: 26 Aug 02.

b. Prior Sv: (1) AFRes 25 Sep 01 - 17 Dec 01 (2 months 23 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 18 Dec 01 for 4 yrs. Svd: 03 Yrs 02 Mo 01 Das, all AMS.

b. Grade Status: Amn - 27 Sep 04 (Vacation of Article 15, 13 Dec 04)
A1C - 18 Apr 03
Amn - 18 Jun 02

c. Time Lost: None.

d. Art 15's: (1) 13 Dec 04, Vacation, McConnell AFB, KS - Article 92. You did, on or about 19 Nov 04, violate a lawful general regulation, to wit: Table 2.5 Item 3, AFI 36-2903, dated 29 Sep 02, by wearing an earring. Reduction to Airman. (No appeal) (No mitigation)

(2) 27 Sep 04, McConnell AFB, KS - Article 86. You did, on or about 2 Sep 04, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: Building 1174, Aerospace Ground Equipment building. Suspended reduction to Airman. Fourteen days extra duty. (Appeal/Granted) (No mitigation)

e. Additional: LOR/UIF, 01 DEC 04 - Wearing an earring in violation of AFI 36-2903.
LOR/UIF, 22 JUL 04 - Wearing an earring in violation of AFI 36-2903.
LOC, 18 JUN 04 - Wearing a tongue stud on official duty in violation of AFI 36-2903.
LOR, 25 SEP 03 - Late for duty and unprofessional behavior.
RIC, 18 MAR 03 - Late for duty.
RIC, 10 OCT 02 - Late for duty.
LOR, 23 MAY 02 - Failure to report to work, and sleeping in

class.

- LOR, 19 APR 02 - Failure to report to work after lunch and sleeping in class.
- LOC, 29 MAR 02 - Failure to complete homework assignment (Listed in LOR, 19 Apr 02, but document missing from file).
- LOC, 26 MAR 02 - Sleeping in class (Listed in LOR, 19 Apr 02, but document missing from file).

f. CM: None.

g. Record of SV: 18 Dec 01 - 17 Aug 03 McConnell AFB 4 (Initial)
 18 Aug 03 - 15 Jun 04 McConnell AFB 5 (CRO)
 16 Jun 04 - 02 Dec 04 McConnell AFB 3 (CRO)REF

h. Awards & Decs: NDSM, AFTR, AFEM W/GB, AFOUA.

i. Stmt of Sv: TMS: (03) Yrs (04) Mos (24) Das
 TAMS: (03) Yrs (02) Mos (01) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 10 Mar 06.
 (Change Discharge to Honorable, and Change the Reason for Discharge)

Issue 1: Please investigate the validity & fairness of the Separation Code (JKN) that has been documented on my DD 214 from the USAF. If possible please help me get the current code overturned from an Honorable under Conditions (General) to Honorable. Thank you.

ATCH

1. Congressional Correspondence.
2. DD Form 149.
3. AF Form 100.
4. Two Copies of DD Form 214.
5. Two Character References.
6. Email Correspondence.
7. Congratulatory Letter on Promotion.
8. Copies of Disciplinary Infractions Letters With Rebuttals.

16JUN06/ia



DEPARTMENT OF THE AIR FORCE
22D MAINTENANCE SQUADRON (AMC)
McCONNELL AIR FORCE BASE, KANSAS

FD 2006-00190

MEMORANDUM FOR AMN: [REDACTED]

1 FEB 05

FROM: 22 MXS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct: Minor Disciplinary Infractions, in accordance with AFPD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your service may be characterized as either honorable or general. I am recommending that your service be characterized as general.

2. My reasons for this action are:

- a. On or about 19 Nov 04, you wore an earring off-duty, but on-base when it was unlawful to do so. For this misconduct, you received:
 - (1) a Letter of Reprimand (LOR), dated 1 Dec 04, which was filed in your Unfavorable Information File (UIF); and,
 - (2) a Vacation of Suspended Punishment, dated 23 Dec 04, received from a prior Article 15, dated 8 Oct 04.
- b. On or about 2 Sep 04, you failed to go to your appointed place of duty. For this misconduct, you received an Article 15, dated 8 Oct 04.
- c. On or about 9 Jun 04, you wrongfully wore an earring while you were on duty. For this misconduct, you received a LOR, dated 22 Jul 04, which was filed in your UIF.
- d. On or about 17 Jun 04, you wrongfully wore a tongue stud while you were on duty. For this misconduct, you received a Letter of Counseling (LOC), dated 18 Jun 04.
- e. On or about 23 Sep 03, you were not readily available for duty when you could not be located at your deployed location, Al Udeid Air Base, Qatar. For this misconduct, you received a LOR from your deployed commander, dated 25 Sep 03.
- f. On or about 18 Mar 03, you failed to report for duty at the prescribed time. For this misconduct, you received a Record of Individual Counseling (RIC), dated 18 Mar 03.
- g. On or about 10 Oct 02, you failed to report for duty at the prescribed time. For this misconduct, you received a RIC, dated 10 Oct 02.

- h. On or about 23 May 02, you failed to report for duty at the prescribed time. For this misconduct, you received a LOR, dated 23 May 02.
- i. On or about 19 Apr 02, you failed to report back for training. For this misconduct, you received a LOR, dated 19 Apr 02.

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. You are ineligible for reenlistment in the Air Force if your discharge is approved.

4. You have the right to consult military counsel. Military legal counsel will be made available to assist you, at no expense to you. I have made an appointment for you to consult with the Area Defense Counsel (ADC) at McConnell AFB, Kansas, on 1 Feb 05 at 1500 hours. You can contact the ADC at ext. 4375. You may consult with civilian counsel at your own expense.

5. You have the right to submit matters in your own behalf. Any statements you want the separation authority to consider must reach me by 7 Feb 05 at 1130 hours unless you request and receive an extension for good cause shown. Any matters and statements you submit will be forwarded 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 **mandatory** medical appointment. You are to report to the 22d Medical Squadron, Physical Exams Section, on 8 Feb 05 at 0930 hours.

8. If you live in base housing, you must contact the housing office immediately upon receipt of this notification.

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 in your squadron orderly room.

10. Execute the attached acknowledgment and return it to me immediately.



Commander

Attachments:

1. Receipt of Notification Memorandum
2. Statement of Understanding
3. Identification Card Retrieval Letter
4. AF Form 366, dated 23 Dec 04 (2 pages)
5. AF Form 3070, dated 8 Oct 04 (3 pages)
6. AF Form 1058, dated 10 Dec 04 (2 pages)
7. LOR, dated 1 Dec 04 (4 pages)
8. AF Form 1058, dated 2 Aug 04 (2 pages)
9. LOR, dated 22 Jul 04 (4 pages)
10. LOC, dated 18 Jun 04 (2 pages)
11. LOR, dated 25 Sep 03 (5 pages)
12. RIC, dated 18 Mar 03 (2 pages)
13. RIC, dated 10 Oct 02 (2 pages)
14. LOR, dated 23 May 02
15. LOR, dated 19 Apr 02