

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	PERSONAL APPEARANCE	X	RECORD REVIEW
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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
<div style="border: 1px dashed black; height: 100px; width: 100%;"></div>					X
					X
					X
					X
					X

ISSUES A94.53	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 08 Feb 2007	CASE NUMBER FD-2006-00205	
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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.

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
INDORSEMENT	DATE: 2/12/2007

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2006-00205

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 the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any that would justify a change of discharge.

ISSUE:

Issue 1. The applicant submitted no issues and requested that the review be completed based on the available service record. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge. The records indicated the applicant received two Article 15's for misconduct. Applicant received her first Article 15 for failure to go to appointed place of duty. She was punished with a suspended reduction in grade to Airman Basic and thirty days of extra duty. The second Article 15 was for failure to go to appointed place of duty. She received a suspended reduction in grade to Airman, suspended forfeiture of pay for two months, and fourteen days of extra duty. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her negative behavior. 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. The applicant cited her desire to receive the G.I. Bill benefits as justification for upgrade. The Board was sympathetic to the impact the loss of these benefits was having on the applicant, but this is not a matter of inequity or impropriety which would warrant an upgrade.

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)

MISSING DISCHARGE DOCUMENTS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Elmendorf AFB, AK on 21 Sep 95 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 21 Sep 73. Enlmt Age: 19 1/12. Disch Age: 22 0/12. Educ: HS DIPL. AFQT: N/A. A-Unknown, E-Unknown, G-Unknown, M-Unknown. PAFSC: 3A031 - Information Management Journeyman. DAS: Unknown.

b. Prior Sv: (1) AFRes 30 Oct 92 - 9 Dec 92 (1 month 10 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 10 Dec 92 for 4 yrs. Svd: 02 Yrs 09 Mo 12 Das, all AMS.

b. Grade Status: A1C - 19 Apr 94
Amn - 10 Jun 93

c. Time Lost: None.

d. Art 15's: (1) 11 Aug 95, Elmendorf AFB, AK - Article 86. You, did, on or about 26 Jul 95, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: Building 43-005, 517th Orderly Room. Suspended reduction to Airman. Suspended forfeiture of \$100.00 pay per month for two months. Fourteen days extra duty. (No appeal) (No mitigation)

(2) 20 Oct 93, Elmendorf AFB, AK - Article 86. You did, on or about 19 Aug 93, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: Building 9824. Suspended reduction to AB. Thirty days extra duty. (No appeal) (No mitigation)

e. Additional: Unknown.

f. CM: None.

g. Record of SV: 10 Dec 92 - 22 Aug 94 Elmendorf AFB 3 (Initial)
23 Aug 94 - 28 Feb 95 Elmendorf AFB 4 (CRO)

h. Awards & Decs: AFTR, NDSM, AFOSLTR.

i. Stmt of Sv: TMS: (02) Yrs (10) Mos (22) Das
TAMS: (02) Yrs (09) Mos (12) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 20 May 06.
(Change Discharge to Honorable)

Issue 1: I request an upgrade in order to use my benefits from the G.I. Bill to continue my education at Southwestern Illinois College as a certified Medical Assistant. I am a full-time student enrolled at Southwestern Illinois College in the Medical Assistant program. I am currently not working and would like to use my G.I. Bill benefits toward my education. I have been attending school as of 1/16/2006.

ATCH

1. College Transcripts
2. DD Form 149.

10JUL06/ia