

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 CAPT	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
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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
<div style="border: 1px dashed black; height: 100px; width: 100%;"></div>					X
					X
					X
					X
					X

ISSUES A94.05	INDEX NUMBER A67.30	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 27 Apr 2007	CASE NUMBER FD-2006-00206
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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.

INDORSEMENT		DATE: 4/30/2007
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	

GENERAL: The applicant appeals for upgrade of his 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 states that his discharge did not take into account the good things he did while in the service, so his discharge should be characterized as honorable, not merely as under honorable conditions (general). The DRB took note of the applicant's duty performance as documented by his performance reports, letters of recommendation and other accomplishments. Upon review, the Board found the seriousness of the applicant's willful misconduct with an Air Force NCO's wife to include: 1) violating a no contact order on divers occasions over a 10 month period, 2) committing adultery, 3) communicating details concerning official personnel matters involving other Air Force members, and 4) unlawfully assaulting and battering this same female by grabbing her around the waist and forcing her on the bed, moving her up against the wall and kissing her mouth and face, placing his body on top of hers and holding her arms over her head with his hands), all combined to more than offset the positive aspects to the applicant's duty performance. The Board noted the applicant received two nonjudicial punishment actions (September 2004 & June 2005) regarding the criminal activity described above. Additionally, the Board noted that the applicant waived his right to a board of inquiry on the express condition that he receive no less than a general discharge. Based on a full review of all information in the file, the Board concluded the discharge was appropriate for the reasons which were the basis for this case.

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 CAPT) (HGH CAPT)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Vandenberg AFB, CA on 13 Apr 06 UP AFI 36-3206, Chapter 3, para 3.6.4 (Misconduct - Serious or Recurring Misconduct Punishable by Military or Civilian Authorities). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 9 Sep 74. Enlmt Age: 23 8/12. Disch Age: 31 7/12. Educ: HS DIPL. PAFSC: 33S3 - Communications and Information Officer. DAS: 4 Aug 03.

b. Prior Sv: (1) AFRes 16 May 98 - 27 Jun 98 (1 month 12 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Appointed to 2Lt and Ordered to EAD 28 Jun 98 Svd: 07 Yrs 09 Mo 16 Das, all AMS.

b. Grade Status: Capt - 27 May 02
1Lt - 27 May 00

c. Time Lost: None.

d. Art 15's: (1) 16 Jun 05, Vandenberg AFB, CA - Article 128. You, did, at or near El Paso, Texas, on or about 2 Mar 05, unlawfully grab [redacted] around the waist and force her on to a bed, move her up against a wall and kiss her mouth and face, then force her back on to the bed, place your body on top of hers, and hold her arms over her head with your hands. Article 92. You, having knowledge of a lawful order issued by Major [redacted] [redacted], to wit: not to have any contact with SSgt [redacted] [redacted] or any member of his family, dated 22 Jul 04, an order which it was your duty to obey, did, within the states of California and Texas, on divers occasions between on or about 26 Feb 05 and on or about 2 Mar 05, fail to obey the same by wrongfully contacting SSgt Maleika's wife, Christina [redacted]. Forfeiture of \$2000.00 pay per month for 2 months, and a reprimand. (No appeal) (No mitigation)

(2) 27 Sep 04, Vandenberg AFB, CA - Article 92. You, having knowledge of a lawful order issued by Maj [redacted] [redacted] not to contact [redacted], an order which it was your duty to obey, did on divers occasions, at or near Vandenberg AFB, CA, between on or about 9 Dec

03 to on or about 13 Sep 04, fail to obey the same by wrongfully contacting [redacted] Article 133. You did, at or near Vandenberg AFB, CA, between on or about 11 Sep 03 and on or about 13 Sep 04, engage in an unprofessional relationship with [redacted] the dependent spouse of an active-duty noncommissioned officer who was also assigned to Vandenberg AFB as follows: First, you committed adultery with Ms. [redacted]; your commander then gave you an order not to have any further contact with Ms. [redacted] which order you immediately disobeyed by continuing to make contact with Ms. [redacted]; resulting in her pregnancy; also, during your relationship with Ms. [redacted] you wrongfully communicated to her details regarding official personnel matters involving other Air Force personnel, including subordinate enlisted personnel assigned to your unit and under your personal supervision and leadership, information which you had a duty not to disclose to anyone except for official purposes; finally, after Ms. Maleika and her family moved to Kadena AB, Japan, she told you that she wanted no further contact with you and your commander gave you another written order not to have any further contact with Ms. [redacted] which order you disobeyed by repeatedly contacting Ms. [redacted] via email, text messages, and telephone calls; the entirety of which conduct was disgraceful and conduct unbecoming an officer. Article 134. You, did, at or near Vandenberg AFB, CA, between on or about 11 Sep 03 and between on or about 30 Apr 04, wrongfully have sexual intercourse with [redacted]; a married woman not your wife. Forfeiture of \$2,110.00 pay per month for 2 months, and a reprimand. (No appeal) (No mitigation)

e. Additional: None.

f. CM: None.

g. Record of SV: 28 Jun 98 - 27 Jun 99 Eglin AFB MS (CRO)
 28 Jun 99 - 27 Jun 00 Eglin AFB MS (Annual)
 28 Jun 00 - 27 Jun 01 Schriever AFB MS (Annual)
 28 Jun 01 - 27 Jun 02 Schriever AFB MS (Annual)
 28 Jun 02 - 27 Jun 03 Schriever AFB MS (Annual)
 28 Jun 03 - 17 Jun 04 Vandenberg AFB MS (CRO)
 27 Jun 04 - 26 Jun 05 Vandenberg AFB DNMS (Annual)REF

h. Awards & Decs: JSAM, AFAM W/2 OLCS, AFTR, NDSM, NATOM, AFOUA W/1 BOLC, AFOEA, AFLSAR, GWOTSM.

i. Stmt of Sv: TMS: (07) Yrs (10) Mos (28) Das
 TAMS: (07) Yrs (09) Mos (16) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 22 May 06.
 (Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.
2. Six Officer Performance Reports.
3. Two AF Forms 475.

27JUN06/ia

MAY 26 2006

FD 2006-00206

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.)

OMB No. 0704-0004
OMB approval 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 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 Capt d. SOCIAL SECURITY NUMBER

2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149) 20060413
4. DISCHARGE CHARACTERIZATION RECEIVED (X one) HONORABLE GENERAL/UNDER HONORABLE CONDITIONS UNDER OTHER THAN HONORABLE CONDITIONS
5. BOARD ACTION REQUESTED (X one) CHANGE TO HONORABLE CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS CHANGE TO UNCHARACTERIZED (Not applicable for Air Force) CHANGE NARRATIVE REASON FOR SEPARATION TO:

3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION VANDENBERG AFB, CA
BAD CONDUCT (Special court-martial only) UNCHARACTERIZED OTHER (Explain)

6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in Item 14. See instructions on Page 9.)
Request an upgrade to my discharge. Punishment does not fit the crime. Only in the military is adultery considered a crime. In addition, only in the military is a single person, such as myself, is charged and convicted with adultery. Mrs. [redacted] who pressed charges against me is an enlisted spouse who lied directly to my commander, Maj [redacted] about having a relationship with me in front of her husband. I continued relationship because she promised to leave her husband to marry me.

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.)

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 (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.) CASE NUMBER (Do not write in this space.)

a. SIGNATURE - REQUIRED (Applicant or person in Item 11 above) b. DATE SIGNED - REQUIRED (YYYYMMDD) 20060522

FD 2006-00206

14. CONTINUATION OF ITEM 6, ISSUES (If applicable)

Mrs. [redacted] cannot be trusted as the case history shows that she is a repeated cheater and liar to her children, her husband, her parents, to Maj [redacted]; to me, to OSI, to JAG and to herself. I admit it was poor judgement to fall in love with a married woman and to believe that a woman that cheats on her husband with two separate guys, cannot be trusted. I did love Mrs. [redacted] and she did everything and said everything to me to make me believe it. Mrs. [redacted] first cheated on her spouse in NM and he immediately filed for divorce just after she gave birth to their second child. Maj [redacted] has personally disliked me since the moment I stepped into his office and he did not give me clearance to learn the full mission of the 14 IWF. ACC IG arrived to conduct a UCI on 14 IWF and being the DO, I could not answer all the questions relating to the mission of 14 IWF due to Maj [redacted] due to not having access to the all the programs. In addition, Maj [redacted] failed to provide me any training and documentation I was to review was outdated. My former ADC, can attest there was no love between Maj [redacted] and myself. I was set up to fail and I seek out help from 30 SW MEO and 30 SW IG and got no assistance. I know what I did was immoral and I failed to learn from my mistakes. I did not steal information from the Air Force. I did not sell information of the Air Force. I did not release any confidential or secret information to Mrs. [redacted] or anyone else during the period of the relationship. I request that you review my case and my past duty assignments and consider granting my petition for an honorable discharge.

15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable)

16. REMARKS (If applicable)

I come from a distinguished family of Air Force officers. My father is a retired Maj with prior service that served 20 years in the USAF. My father received his commission through OTS. I have two brothers. My father is now assigned to AFOTEC at Kirtland AFB, NM, as a GS-13. My oldest brother is a USAFA graduate Class of 1995 and is now a Maj. He is currently assigned at AFOTEC at Kirtland AFB, NM. I attended UNM and received my commission through AFOTC in 1998. My youngest brother is a USAFA graduate Class of 2002 and will pin on Capt on 25 May 06. He is stationed at Lackland AFB, TX awaiting PCS orders. My dad was a former 33S officer and we all became 33S officers too. My maternal grandfather served in the Philippines Army. I have two uncles on my father's side who served in the US Army, one as an officer and the other enlisted. I have uncles on my mother's side that that served in the US Navy and another that entered the USAF as a nurse and is currently assigned at Nellis AFB, NV. I made an attempt to separate in Nov 04 under force-shaping after my first Article 15 and USAF denied my request in Feb 05. Maj [redacted] had promised that my package would be approved. Maj [redacted] also promised that he would swap with with another 33S on base. That never happened.

I know what I did was wrong and I know I'll never be able to re-gain my commission. I committed an immoral crime and I accepted nonjudicial punishments for both acts. I do not fully understand why my separation request was denied. I've been treated like a criminal on Vandenberg AFB and was even denied a final separation physical. I cited that I was depressed and the doctor did not wish to hear me out. Because of the characterization and loss of my security clearance, my chances of receiving a federal job are significantly decreased. In addition, I've also lost my rights to GI Bill entitlements. This punishment is a reflection of poor moral judgement, not because of lack of duty performance or stealing or killing or selling of information. I don't believe that my punishment fits the crime. I believe this discharge is based on the personal dislike Maj [redacted] had of me and his mission to weed out personnel that did not meet his standards. I don't believe the punishment fits the crime and petition for an honorable discharge.

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

ARMY

Army Review Boards Agency
Support Division, St. Louis
9700 Page Avenue
St. Louis, MO 63132-5200
(See <http://arba.army.pentagon.mil>)

NAVY AND MARINE CORPS

Naval Council of Personnel Boards
720 Kennon Street, S.E.
Room 309 (NDRB)
Washington Navy Yard, DC 20374-5023

AIR FORCE

Air Force Review Boards Agency
SAF/MRBR
650-C Street West, Suite 40
Randolph AFB, TX 78150-4742

COAST GUARD

U.S. Coast Guard
Commandant (G-WPM)
2100 Second Street, S.W. Room 5500
Washington, DC 20593



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS EIGHTH AIR FORCE (ACC)
BARKSDALE AIR FORCE BASE, LOUISIANA

08 SEP 2005

MEMORANDUM FOR CAPTAIN [REDACTED]
14 IFW
747 Nebraska Ave Ste C-209
Vandenberg AFB CA 93437

FROM: 8 AF/CC
245 Davis Ave E Rm 200
Barksdale AFB LA 71110-2279

SUBJECT: Notification of Show Cause Action Initiated Under AFI 36-3206, Chapter 3,
Paragraph 3.6.4

1. I am initiating action against you under AFI 36-3206, Chapter 3, paragraph 3.6.4, that requires you to show cause for retention on active duty.

2. I am taking this action because:

a. You did, at or near Vandenberg Air Force Base, California, between on or about 11 September 2003 and between on or about 30 April 2004, wrongfully have sexual intercourse with [REDACTED], a married woman not your wife;

b. You did, at or near Vandenberg Air Force Base, California, between on or about 11 September 2003 and on or about 13 September 2004, engage in an unprofessional relationship with [REDACTED] the dependent spouse of an active-duty noncommissioned officer who was also assigned to Vandenberg Air Force Base, as follows: First, you committed adultery with Ms. [REDACTED]; your commander then gave you an order not to have any further contact with Ms. [REDACTED], which order you immediately disobeyed by continuing to make contact with Ms. [REDACTED], resulting in her pregnancy; also, during your relationship with Ms. [REDACTED] you wrongfully communicated to her details regarding official personnel matters involving other Air Force personnel, including subordinate enlisted personnel assigned to your unit and under your personal supervision and leadership, information which you had a duty not to disclose to anyone except for official purposes; finally, after Ms. [REDACTED] and her family moved to Kadena Air Base, Japan, she told you that she wanted no further contact with you and your commander gave you another written order not to have any further contact with Ms. [REDACTED]; which order you disobeyed by repeatedly contacting Ms. [REDACTED] via email, text messages, and telephone calls; the entirety of which conduct was disgraceful and conduct unbecoming an officer;

c. You, having knowledge of a lawful order issued by Major [redacted] not to contact [redacted]; an order which it was your duty to obey, did on divers occasions at or near Vandenberg Air Force Base, California, between on or about 9 December 2003 to on or about 13 September 2004, fail to obey the same by wrongfully contacting [redacted];

d. You, having knowledge of a lawful order issued by Major [redacted] to wit: not to have any contact with Staff Sergeant [redacted]; or any other member of his family, dated 22 July 2004, an order which it was your duty to obey, did, within the states of California and Texas, on divers occasions between on or about 26 February 2005 and on or about 2 March 2005, fail to obey the same by wrongfully contacting Staff Sergeant [redacted] wife; [redacted]; and

e. You did, at or near El Paso, Texas, on or about 2 March 2005, unlawfully grab [redacted] around the waist and force her on to a bed, move her up against a wall and kiss her mouth and face, then force her back on to the bed, place your body on top of hers, and hold her arms over her head with your hands.

The least favorable character of discharge that the Secretary of the Air Force may approve in this case is under other than honorable conditions. Attached is a copy of documentary evidence supporting this action.

3. Sign and date the attached indorsement acknowledging receipt of this notification memorandum. A copy of the notification memorandum will be provided to you. If you decline to acknowledge receiving this notification memorandum, the officer presenting it to you will indicate on it the date and time that you declined to acknowledge receiving it and it will be included as a part of your case file.

4. Familiarize yourself with AFI 36-3206, particularly the rights that you have. If you do not apply for retirement or request a resignation in lieu of further administrative action, a board of inquiry (BOI) will convene as provided in Chapter 7. Contact the Area Defense Counsel, Captain [redacted]; 8500 Iceland Avenue, Vandenberg AFB, California, 93437, DSN 276-3627, to discuss the procedures involved and your rights and options. If you decline counsel, contact the Chief, Military Personnel Flight, Captain [redacted] at 606-7499 for counseling about your rights and options.

5. If you elect to present matters to a BOI, the standard of proof used by the board to make findings is a preponderance of evidence. You may present evidence and argument to rebut the reasons set forth in this notification memorandum or any additional reason or information developed during the BOI proceedings. You also may present other pertinent evidence.

6. Within 10 calendar days after you receive this notification memorandum, you must respond by indorsement to me. If I do not receive the indorsement within the allotted time, I will proceed with further action under AFI 36-3206. Include in your indorsement:

a. Any statement you wish to submit on your own behalf and/or any additional evidence that you wish me to consider. If you are unable to submit your statements or documentary evidence

within 10 calendar days after receiving this notification memorandum, you may request more time as allowed under AFI 36-3206. Submit your request for additional time to me. If you do not submit statements or evidence, your failure will constitute a waiver of your rights to do so and I will refer your case to the BOI.

b. A statement that Capt: [] counseled you and that you fully understand your rights and options in this action. If you declined counsel, so state and indicate that Capt: [] counseled you and that you fully understand your rights and options in this action.

c. A statement that you understand the following regarding recoupment of education assistance, special pay, or bonuses received if you haven't completed the period of active duty you agreed to serve:

(1) Recoupment of a portion of education assistance, special pay, or bonus monies received if you voluntarily separate.

(2) Recoupment of a portion of education assistance received if involuntary discharge is for misconduct.

(3) Recoupment of a portion of special pay or bonus monies received regardless of the basis for involuntary discharge.

(4) The recoupment in all cases is an amount that bears the same ratio to the total amount or cost provided to you as the unserved portion of active duty bears to the total period of active duty that you agreed to serve. If you dispute that you are indebted for educational assistance, the BOI, or, if you do not choose or are not entitled to a BOI, an authority appointed by ACC/CC, will make findings and recommendations concerning the validity of your indebtedness.

d. A statement notifying me whether you intend to apply for retirement or tender your resignation. If you have applied for retirement or tendered your resignation, attach a copy of the retirement application or the resignation.

e. A statement that the Area Defense Counsel or the Chief, Military Personnel Flight, explained separation pay to you and that you understand the eligibility criteria to receive separation pay.

f. Any other pertinent information.

7. In response to this notification memorandum, you may, within 10 calendar days, tender your resignation under AFI 36-3207, Chapter 2, Section B, with the understanding that, if the Secretary of the Air Force accepts your resignation, you may receive an under other than honorable conditions discharge unless the Secretary of the Air Force determines that you should receive a discharge under honorable conditions (general) or an honorable discharge. If the Secretary of the Air Force accepts your resignation, your discharge date will be as soon as possible but no later than 10 calendar days after the date that the MPF receives separation instructions.

8. I have taken action under AFI 31-501. A copy of the action taken is attached.

9. You may request excess leave if the Air Force does not require your further participation in processing your case.



Lieutenant General, USAF
Commander

11 Attachments:

- 1. AF Form 3070, 14 Jun 05
- 2. AF Form 3070, 27 Sep 04
- 3. SSO AIA Permission to Proceed, 24 Jun 05
- 4. Written Statement of Mr. [redacted] 2 Mar 05
- 5. Written Statement of Mrs [redacted] 3 Sep 04
- 6. Written Statement of Mrs [redacted] 31 Aug 04
- 7. Written Statement of Mrs [redacted] 12 Aug 04
- 8. No Contact Order from Maj [redacted] 22 Jul 04
- 9. No Contact Order from Maj [redacted] 14 Sep 04
- 10. AFI 36-3206
- 11. AFI 36-3207

1ST IND, CAPTAIN [redacted]

MEMORANDUM FOR SHOW-CAUSE AUTHORITY

I acknowledge receiving Notification of Show-Cause Action Initiated Under AFI 36-3206, Chapter 3, paragraph 3.6.4, dated 8 Sep 2005, issued by 8 AF/CC, with five attachments at 1030 hours on 5 Oct 2005.

