

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)					GRADE		AFSN/SSAN		
					A1C				
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
									X
ISSUES		INDEX NUMBER			EXHIBITS SUBMITTED TO THE BOARD				
A93.11 A93.07 A94.05		A49.00			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		CASE NUMBER							
21 Feb 2007		FD-2006-00308							
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.									
ENDORSEMENT					DATE: 2/23/2007				
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-2006-00308

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 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:

Although not explicitly stated, applicant contends his discharge was inequitable because it was too harsh and he was having family and financial problems at the time. He contends his wife had an uncontrollable gambling problem. The records indicated the applicant received seven Letters of Reprimand and three Records of Individual Counseling for misconduct. Applicant was administratively disciplined for dereliction of duty (four separate occasions), unacceptable appearance, and financial irresponsibility on six different occasions. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his 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.

If he can provide additional documented information to substantiate an issue, the applicant should consider exercising his right to make a personal appearance before the Board. If he should choose to exercise his right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community.

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)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Keesler AFB, MS on 4 Jan 93 UP AFR 39-10, para 5.26a&b (Unsatisfactory Performance - Irresponsibility in the Management of Personal Finances). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 31 Oct 69. Enlmt Age: 20 0/12. Disch Age: 23 2/12. Educ: HS DIPL. AFQT: N/A. A-85, E-71, G-64, M-67. PAFSC: 90250 - Medical Services Specialist. DAS: 9 Sep 90.

b. Prior Sv: (1) AFRes 20 Nov 89 - 1 Mar 90 (3 months 12 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 2 Mar 90 for 4 yrs. Svd: 02 Yrs 10 Mo 03 Das, all AMS.

b. Grade Status: A1C - 2 Jul 91
Amn - 2 Sep 90

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR/UIF, 04 NOV 92 - Dereliction of duty.
LOR/UIF, 05 OCT 92 - Dereliction of duty.
LOR, 17 SEP 92 - Unacceptable appearance.
LOR/UIF, 31 JUL 92 - Financial irresponsibility.
RIC, 10 JUL 92 - Dereliction of duty.
CR, 24 JUN 92 - Continued financial irresponsibility.
LOR/UIF, 12 JUN 92 - Financial irresponsibility (see Notification Memorandum para 2f) (Missing from file).
LOR, 26 MAY 92 - Financial irresponsibility (see Notification Memorandum para 2e) (Missing from file).
RIC, 02 APR 92 - Financial irresponsibility.
RIC, 10 MAY 92 - Dereliction of duty.
LOR, 18 NOV 91 - Financial irresponsibility.
SGQF LTR, 25 OCT 91 - Returned check notification.
SGQF LTR, 23 MAY 91 - Parking against the flow of traffic.

f. CM: None.

g. Record of SV: 02 Mar 90 - 11 Nov 91 Keesler AFB 3 (Initial)

12 Nov 91 - 11 Nov 92 Keesler AFB 2 (Annual)REF

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

i. Stmt of Sv: TMS: (03) Yrs (01) Mos (15) Das
TAMS: (02) Yrs (10) Mos (03) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 03 Aug 06.
(Change Discharge to Honorable)

Issue 1: My discharge was inquitale due to family problems and finances at that time. My spouse at the time had a gambling habit that was uncontrollable even to me.

ATCH

1. DD Form 214.

13SEP06/ia



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS KEESLER TRAINING CENTER (ATC)
KEESLER AIR FORCE BASE MS 39534-8000

FD2006-00308



REPLY TO
ATTN OF:

KMC/SGQ

09 DEC 1992

SUBJECT:

Letter of Notification

TO:

A1C [REDACTED]
Keesler Medical Center

1. I am recommending your discharge from the United States Air Force for unsatisfactory duty performance and for irresponsibility in the management of personal finances according to AFR 39-10, paragraph 5-26a&d. If my recommendation is approved, your service will be characterized as a general discharge and you will be ineligible for reenlistment in the Air Force.

2. My reasons for this action are:

a. You uttered a check to the Keesler Main Exchange, in the amount of \$11.00, which was returned for insufficient funds, for which you were counseled by your First Sergeant, on 29 Oct 91.

b. You failed to pay your delinquent club account (\$821.60), for which you were reprimanded by the NCOIC, Cardiac Rehabilitation Unit, on 18 Nov 91.

c. You were derelict in the performance of your duties, to wit: you failed to do a daily EKG, for which you were counseled by the NCOIC, Med Card Rehab, on 10 Mar 92.

d. You failed to show any progress in settling his financial debts, for which you were counseled by your Assistant NCOIC on 2 Apr 92.

e. You uttered a check to the Royal Cleaners, which was returned for insufficient funds, for which you were counseled by the NCOIC, Medical Cardiac Rehabilitation Unit, on 26 May 92.

f. You uttered a check to the base commissary, which was returned for insufficient funds, for which you were reprimanded by your First Sergeant, on 12 Jun 92, and a Unfavorable Information File (UIF) was established by your Commander, on 24 Jun 92.

g. You were derelict in the performance of your duties, to wit: you failed to walk through all rooms on team two and tidy them up, for which you were counseled by the Assistant NCOIC, on 10 Jul 92.

h. You uttered a check to the NCO Club in the amount of \$80.00, which was returned for insufficient funds, for which you were reprimanded by the First Sergeant, on 31 Jul 92, resulting in a copy of the reprimand being added to your UIF on 6 Aug 92.

i. You were derelict in the upkeep of your uniforms, for which you were reprimanded by the NCOIC, Medical Cardiac Unit, on 17 Sep 92.

j. You were derelict in the performance of your duties, to wit: on 17 and 18 Sep 92, you failed to get neurological checks and, on 18 Sep 92, you failed to do the Straight catheterization and record residuals, for which you were reprimanded by the NCOIC, Medical Cardiac Unit, on 5 Oct 92, resulting in a copy of the reprimand being added to your UIF on 19 Oct 92.

k. You were derelict in the performance of your duties, to wit: you failed to perform neurological checks, for which you were reprimanded by your First Sergeant, on 4 Nov 92, resulting in a copy of the reprimand being added to your UIF on 18 Nov 92.

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The Commander, Keesler Medical Center, Keesler Air Force Base, Mississippi, will decide whether you will be discharged or retained in the Air Force and, you will be ineligible for reenlistment in the Air Force.

4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult Capt at Bldg 0701, Room 124, on 08 DEC 1992 at 14:45 hours. You may consult civilian counsel at your own expense.

5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 14 Dec 92 at 14:45 hours unless you request and receive an extension for good cause shown. I will send them 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 medical examination. You must report to the USAF Medical Center, Keesler AFB, at 0700 hours on 10 Dec 92 for the examination.

8. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, Attachment 2. A copy of AFR 39-10 is available for you to use from your case worker.

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

Commander, Medical Squadron Section
Keesler Medical Center

17 Atchs

1. Airman's Acknowledgment
2. DD Form 1408
3. SGOF Ltr, 25 Oct 91
4. LOR 18 Nov 91
5. LOC 10 Mar 92
6. LOC, 2 Apr 92
7. LOR 26 May 92
8. LOR 12 Jun 92
9. AF Form 1058 24 Jun 92
10. LOC 10 Jul 92
11. LOR 31 Jul 92
12. AF Form 1058 6 Aug 92
13. LOR 17 Sep 92
14. LOR w/atchs 5 Oct 92
15. AF Form 1058 19 Oct 92
16. LOR w/atchs 4 Nov 92
17. AF Form 1058 18 Nov 92