

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>		<b>GRADE</b> <b>A1C</b>	<b>AFSN/SSAN</b> <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>			
<b>TYPE</b>	<b>GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X</b> <b>RECORD REVIEW</b>			
<b>COUNSEL</b>		<b>NAME OF COUNSEL AND OR ORGANIZATION</b>				
<b>YES</b>	<b>No</b>	<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>				
	<b>X</b>					
<b>MEMBER SITTING</b> <div style="border: 1px dashed black; height: 100px; width: 100%;"></div>		<b>VOTE OF THE BOARD</b>				
		<b>HON</b>	<b>GEN</b>	<b>UOTIC</b>	<b>OTHER</b>	<b>DENY</b>
						<b>X</b>
						<b>X</b>
						<b>X</b>
						<b>X</b>
<b>ISSUES</b> <b>A93.01</b> <b>A94.05</b>		<b>INDEX NUMBER</b> <b>A67.10</b>		<b>EXHIBITS SUBMITTED TO THE BOARD</b>		
				<b>1</b>	<b>ORDER APPOINTING THE BOARD</b>	
				<b>2</b>	<b>APPLICATION FOR REVIEW OF DISCHARGE</b>	
				<b>3</b>	<b>LETTER OF NOTIFICATION</b>	
				<b>4</b>	<b>BRIEF OF PERSONNEL FILE</b>	
					<b>COUNSEL'S RELEASE TO THE BOARD</b>	
					<b>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE:</b>	
					<b>TAPE RECORDING OF PERSONAL APPEARANCE HE</b>	
<b>HEARING DATE</b> <b>01 Mar 2007</b>		<b>CASE NUMBER</b> <b>FD-2006-00310</b>				
<b>APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>						
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.						
X - Upgrade discharge, Change Reason for Discharge and Change Reenlistment Code						
<b>INDORSEMENT</b>				<b>DATE: 3/6/2007</b>		
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742				<b>FROM:</b> 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-2006-00310**

**GENERAL:** The applicant appeals for upgrade of discharge to Honorable, change reason for discharge and change to 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:**

Applicant contends discharge was inequitable because it was too harsh; because at the time of his discharge he was only 18 and just a kid. He would like to reenlist into the Air Force. The record indicates the applicant received two AETC 341s (failed room inspection and talking through progress check after verbal warning); five Records of Individual Counseling (failure to attend physical conditioning, violation of dress and appearance, failing to march with squadron and late to class and safety violation--twice); a Letter of Counseling (using profanity); four Letters of Reprimand (failing to attend physical conditioning, failing to attend academic enrichment class--twice, and failure to obey a lawful order); four AETC 173s, Student Record of Academic Counseling (failing block progress checks, failed block test and failed certification task); Article 15 (making a false statement with intent to deceive and failing to attend academic enrichment class) and AETC 125A, Student Training Report (removal from training). After review of the record, the Board concluded the misconduct was a significant departure from conduct expected of all military members. The Board the found the characterization of the discharge, the reason for the discharge and the reenlistment code received by the applicant to be appropriate.

**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, reason for the discharge and reenlistment code should not be changed.

Attachment:  
Examiner's Brief

DEPARTMENT OF THE AIR FORCE  
AIR FORCE DISCHARGE REVIEW BOARD  
ANDREWS AFB, MD

(Former AB) (HGH AB)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Sheppard AFB, TX on 22 Oct 01 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, and to Change the RE Code, Reason for Discharge.

2. **BACKGROUND:**

a. DOB: 01 Mar 83. Enlmt Age: 17 8/12. Disch Age: 18 7/12. Educ: HS DIPL. AFQT: N/A. A-65, E-62, G-68, M-57. PAFSC: 2A313A - Tactical Aircraft Maintenance Helper. DAS: 30 Apr 01.

b. Prior Sv: (1) AFRes 9 Nov 00 - 12 Mar 01 (4 months 4 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 13 Mar 01 for 6 yrs. Svd: 00 Yrs 07 Mo 10 Das, all AMS.

b. Grade Status: None.

c. Time Lost: None.

d. Art 15's: (1) 1 Oct 01, Sheppard AFB, TX - Article 92. You, having knowledge of a lawful order issued by TSgt [REDACTED] to attend academic enrichment, an order which it was your duty to obey, did, on or about 17 Aug 01, fail to obey the same by wrongfully failing to attend. Article 107. You did, on or about 17 Aug 01, with intent to deceive, make to TSgt [REDACTED] an official statement, to wit: you were married at the Wichita County courthouse, which statement was totally false, and was then known by you to be so false. Forfeiture of \$350.00 pay, and a reprimand. (No appeal) (No mitigation)

e. Additional: AETC 125A, 16 OCT 01 - Removal from training.  
LOR, 26 SEP 01 - Failure to go.  
LOR, 17 AUG 01 - Failure to obey a lawful order.  
AETC 173, 17 AUG 01 - Failed progress checks on Utility Systems Objective III-Ia, and SPS Tester, Block III, Objective 3C.  
AETC 173, 07 AUG 01 - Failed Arresting Hook Damper Servicing Certification.  
AETC 173, 03 AUG 01 - Failed Block IIa test.  
AETC 173, 20 JUL 01 - Failed Block 2 progress check for Canopy Systems Objective 2-2-1b.  
RIC, 25 JUL 01 - Safety violation.

RIC, 19 JUL 01 - Safety violation.  
LOC, 17 JUL 01 - Using profanity.  
LOR, 17 JUL 01 - Failure to go.  
RIC, 06 JUL 01 - Failure to go and late to class.  
RIC, 06 JUL 01 - Violation of dress and appearance.  
AETC 341, 07 JUN 01 - Talking during progress after verbal  
warnings.  
LOR, 06 JUN 01 - Failure to go.  
RIC, 22 MAY 01 - Failure to go.  
AETC 341, 15 MAY 01 - Failed room inspection.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (00) Yrs (11) Mos (14) Das  
TAMS: (00) Yrs (07) Mos (10) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 31 Jul 06.  
(Change Discharge to Honorable, and Change the RE Code, Reason for  
Discharge)

Issue 1: When discharged I was only 18. I take full responsibility, but at  
the same time I was a kid. I want to re-enlist into the Air Force. I need an  
upgrade.

**ATCH**  
None.

12OCT06/ia

Attachments:

- 1. LOR. 26 Sep 01
- 2. Article 15, 1 Oct 01
- 3. AF Form 1168, AB: [redacted]; 22 Aug 01
- 4. AF Form 1168, TSgt [redacted]; 22 Aug 01
- 5. LOR. 17 Aug 01
- 6. Response to LOR, 20 Aug 01
- 7. MFR, 20 Aug 01
- 8. AF Form 1168, TSgt [redacted]; 22 Aug 01
- 9. SAFB Form 303, 2 Aug 01
- 10. AF Form 174, 25 Jul 01
- 11. AF Form 174, 19 Jul 01
- 12. LOC, 17 Jul 01
- 13. LOR, 17 Jul 01
- 14. Response to LOR, 17 Jul 01
- 15. 362 TRS/RFM Memo, 17 Jul 01
- 16. AF Form 174, 6 Jul 01
- 17. AF Form 174, 6 Jul 01
- 18. LOR, 6 Jun 01
- 19. AF Form 174, 22 May 01
- 20. Response to AF Form 174, undated
- 21. MFR, TSgt [redacted]; 23 Jul 01
- 22. AETC Form 341, 6 Jun 01 and 15 May 01
- 23. Student Training Report, 01080
- 24. AETC Form 125A, 16 Oct 01
- 25. AETC Form 173, 17 Aug 01
- 26. AETC Form 173, 17 Aug 01
- 27. AETC Form 173, 7 Aug 01
- 28. AETC Form 173, 3 Aug 01
- 29. AETC Form 173, 20 Jul 01
- 30. LAFB Form 205, 26 Apr 01
- 31. Airman's Receipt of Notification Memorandum *wd*