

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) _____	GRADE SRA	AFSN/SSAN _____
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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
_____ _____ _____ _____ _____					X
					X
					X
					X
					X

ISSUES	A92.35	INDEX NUMBER	A47.00	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 HEARING

HEARING DATE	15 Mar 2007	CASE NUMBER	FD-2006-00427		
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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.

X - Upgrade of discharge, change of reason and authority for discharge, and change of reenlistment code are denied.

INDORSEMENT		DATE: 3/15/2007
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-2006-00427

GENERAL: The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change the 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 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: The applicant contends her discharge was inequitable because it was too harsh and based on one isolated incident in her career. The records indicated the applicant received a general, under other than honorable conditions, discharge from the New York Air National Guard for failure to meet financial obligations. The Board found that the applicant submitted no issues contesting the equity or propriety of the discharge. 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.

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 SRA) (HGH SSGT)

DISCHARGE DOCUMENTS MISSING

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr ANG Westhampton Beach, NY on 1 Feb 03. UP AFI 36-3209, Chapter 3, para 3.21.2.4 (Failure to Meet Financial Obligations). Appeals for Honorable Discharge, to Change the RE Code, and Reason for Discharge.

2. **BACKGROUND:**

a. DOB: 3 Apr 75. Enlmt Age: 19 3/12. Disch Age: 27 9/12. Educ: HS DIPL. AFQT: N/A. A-93, E-67, G-74, M-41. PAFSC: 3M051 - Services Journeyman. DAS: 15 Jun 00.

b. Prior Sv: (1) USCGRes 3 May 94 - 25 Jul 94 (2 months 23 days) (Inactive).

(2) Enlisted USCG as E-1 26 Jul 94 for 4 yrs. Svd: 3 yrs 7 months 16 days, all AMS.

(3) Enlisted NYANG as SrA 16 Apr 99 for 6 yrs. Svd: 1 yr 4 months 25 days (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Reenlisted NYANG as SrA 11 Sep 00 for 6 yrs. Svd: 02 Yrs 04 Mo 21 Das, of which AMS is 4 months 11 days.

b. Grade Status: SrA - 01 Feb 03 (Demotion, 24 Feb 03)
SSgt - 04 May 02

c. Time Lost: None.

d. Art 15's: None.

e. Additional: Unknown.

f. CM: Unknown.

g. Record of SV: Unknown.

h. Awards & Decs: AFLSAR, AFTR, CGGCM, NDSM W/1 DEV, RM W/M, AFOUA W/1 DEV, CGUC W/1 DEV, SOUA, MTCR.

i. Stmt of Sv: TMS: (07) Yrs (07) Mos (25) Das
TAMS: (03) Yrs (11) Mos (27) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 27 Oct 06.
(Change Discharge to Honorable, and Change the RE Code, Reason for Discharge)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.

05DEC06/ia

**HEADQUARTERS
NEW YORK AIR NATIONAL GUARD
330 Old Niskayuna Road
Latham, NY 12110-2224**

**SPECIAL ORDER
AW-416**

19 March 2003

SRA [redacted] (Mailing address: [redacted]) is relieved from assignment with the 106th Services Flight (PAS: H41CFCZS) 150 Riverhead Road, Gabreski Airport, Westhampton Beach, NY 11978 and is given a General (Under Honorable Conditions) Discharge from the New York Air National Guard and as a Reserve of the Air Force effective 19 March 2003. **Authority: Chapter 3, para 3.21.2.4, AFI 36-3209.**

FOR THE ADJUTANT GENERAL

[redacted signature box]

Superintendent, Enlisted Personnel Programs

- DISTRIBUTION**
- 1-HQ NYANG/DP
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