

**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%; margin-top: 5px;"></div>	GRADE <b>SRA</b>	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%; margin-top: 5px;"></div>
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TYPE GEN	<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
YES	No	
	<b>X</b>	

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; height: 40px; width: 100%;"></div>	<b>X</b>				+*
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<div style="border: 1px dashed black; height: 40px; width: 100%;"></div>	<b>X</b>				+*
<div style="border: 1px dashed black; height: 40px; width: 100%;"></div>	<b>X</b>				+*

ISSUES <b>A93.03</b> <b>A94.06</b>	INDEX NUMBER <b>A49.00</b>	<b>EXHIBITS SUBMITTED TO THE BOARD</b>
		<b>1</b> ORDER APPOINTING THE BOARD
		<b>2</b> APPLICATION FOR REVIEW OF DISCHARGE
		<b>3</b> LETTER OF NOTIFICATION
		<b>4</b> 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 <b>10 May 2007</b>	CASE NUMBER <b>FD-2006-00455</b>
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**APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL 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.

+ Change Reason for Discharge  
\* Change Reenlistment Code

<b>INDORSEMENT</b>  TO: <b>SAF/MRBR</b> 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	<b>DATE: 6/5/2007</b>  FROM: <b>SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL</b> AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2006-00455**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable, change reason for discharge, and change of reenlistment code.

The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.

**FINDINGS:** Upgrade of discharge is granted.  
Change of reason and change of reenlistment code are denied.

The Board finds that neither the evidence of record nor that provided by applicant substantiates an impropriety that would justify a change of discharge. However, based upon the record and evidence provided by applicant, the Board finds the applicant's characterization for discharge inequitable.

**ISSUE:**

Applicant contends her discharge was inequitable because it was too harsh. Applicant believes her command could have waived or given her another opportunity considering the sensitive situation she was in (an abusive relationship and an unborn child). The applicant received a General discharge for Unsatisfactory Performance. The records indicated that the applicant failed her end of course exam twice. After a thorough review of the record, the Board found the characterization of the discharge harsh based on the lack of evidence that her command had provided the required remedial training needed for the applicant's success in taking her end of course exam. The Board grants relief for upgrade of the characterization of the discharge to Honorable. However, the Board did not find any sufficient mitigation to substantiate changing the reason for discharge or the reenlistment code.

**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 believes that the relief for the characterization of the discharge should be granted. The applicant's characterization should be changed to Honorable under the provisions of Title 10, USC 1553.

Attachment:  
Examiner's Brief

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

(Former SRA) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr ANG Blue Ash, OH on 8 Sep 03 UP AFI 36-3209, para 3.18.6 (Unsatisfactory Performance). Appeals for an Honorable Discharge, to Change the RE Code, and the Reason for Discharge.

2. **BACKGROUND:**

a. DOB: 15 Feb 82. Enlmt Age: 18 8/12. Disch Age: 21 6/21. Educ: HS DIPL. AFQT: N/A. A-59, E-47, G-42, M-26. PAFSC: 3M051 - Services Journeyman. DAS: 26 Oct 00.

b. Prior Sv: None.

3. **SERVICE UNDER REVIEW:**

a. Enlisted ANG as A1C 26 Oct 00 for 6 yrs. Svd: 02 Yrs 10 Mo 13 Das, of which AMS is 3 months 9 days.

b. Grade Status: SRA - 24 Apr 02

c. Time Lost: None.

d. Art 15's: None.

e. Additional: REPORT OF COURSE EXAM, 06 MAR 03 - Second CDC failure.  
REPORT OF COURSE EXAM, 29 JAN 03 - First CDC failure.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR, AFRESM, ARFMSM.

i. Stmt of Sv: TMS: (02) Yrs (10) Mos (13) Das  
TAMS: (00) Yrs (03) Mos (9) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 08 Nov 06.

(Change Discharge to Honorable, and Change the RE Code, and the Reason for Discharge)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. Recommendation for Discharge.
3. Notification of Discharge.
4. Memorandum for 123 ACS/CC, 5 Apr 03.
5. Record of Course Examination, 6 Mar 03.
6. Record of Course Examination, 29 Jan 03.
7. Legal Review.
8. Discharge Order.

18JAN07/ia

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 Oct 31, 2009

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 Services 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 Senior Airman-E4 d. SOCIAL SECURITY NUMBER

e. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON NAMED IN ITEM 11 (Forward notification of any change in address.) f. TELEPHONE NUMBER (Include Area Code) g. FAX NUMBER (Include Area Code) NOT APPLICABLE

2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149) 3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION 123RD ACS BLUEASH, OHIO

4. DISCHARGE CHARACTERIZATION RECEIVED (X one) 5. BOARD ACTION REQUESTED (X one) HONORABLE CHANGE TO HONORABLE GENERAL/UNDER HONORABLE CONDITIONS CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS UNDER OTHER THAN HONORABLE CONDITIONS CHANGE TO UNCHARACTERIZED (Not applicable for Air Force) BAD CONDUCT (Special court-martial only) CHANGE NARRATIVE REASON FOR SEPARATION: UNCHARACTERIZED OTHER (Explain)

6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in Item 13. See instructions on Page 3.) I'M REQUESTING AN UPGRADE SO THAT I CAN EITHER REENLIST OR ENLIST IN THE NAVY. I RECEIVED THE GENERAL DISCHARGE FOR FAILURE TO OBTAIN JOB SKILL. ALTHOUGH I DO ACCEPT FULL RESPONSIBILITY FOR NOT PASSING MY CDC'S, I FEEL THAT BEING DISCHARGED ALL TOGETHER

7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON (YYYYMMDD) 2006/11/28 AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE. DD FORM 149 WAS COMPLETED IN ERROR

8. IN SUPPORT OF THIS APPLICATION, THE FOLLOWING ATTACHED DOCUMENTS ARE SUBMITTED AS EVIDENCE: (Continue in Item 14. If military documents or medical records are relevant to your case, please send copies.) SUBMITTED FORMS WITH PRIOR APPLICATIONS THERE WERE 8 FORMS ATTACHED WITH FORM (DD FORM 149) WHICH WAS COMPLETED AND MAILED BACK. I HAD REQUESTED THE WRONG FORM.

9. TYPE OF REVIEW REQUESTED (X one)

X 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. X 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) CINCINNATI, OHIO (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 12.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. 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) 20061206 FD 2006-00455

13. CONTINUATION OF ITEM 6, ISSUES (if applicable) WAS A LITTLE EXTREME. I MEAN GRADE WISE I DID CONSIDERABLY WELL IN BASIC TRAINING AND TECH. SCHOOL, B AVERAGES TO BE EXACT, AND AGAIN ALTHOUGH YES I SHOULD'VE BEEN PUNISHED FOR NOT TESTING PROPERLY IN MY CRAFT, GIVEN THE SENSITIVITY OF MY SITUATION, IT COULD'VE BEEN EITHER WAIVED OR GIVEN ANOTHER OPPORTUNITY TO TEST. I LOVED MY JOB AND THE PEOPLE THAT I WORKED WITH AND THE MILITARY AS A WHOLE MADE ME FEEL SO PROUD OF MYSELF AND MEANT ALOT TO ME I JUST FEEL I SHOULD'VE BEEN REPRIMANDED LESS SEVERLY.

14. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (if applicable)

15. REMARKS (if applicable) I'M BEGGING FOR ANOTHER CHANCE TO SHOW MY DEDICATION AND SELF-~~realize the mistake~~ ~~I~~ ~~try~~ ~~to~~ ~~get~~ ~~the~~ ~~discipline~~. I WANT TO BE AN EXAMPLE FOR MY CHILDREN, AND FOR THEM TO BE PROUD THAT ALTHOUGH THEY CAME FROM A SINGLE FAMILY HOUSEHOLD, THEY DIDN'T HAVE TO STRUGGLE OR MISS OUT ON LIFE BECAUSE OF MY MISTAKES, I REALIZE THAT LETTING MY PERSONAL LIFE CONFLICT WITH ME LEARNING WHAT I NEEDED TO TEST SHOULD'VE NEVER HAPPEN, BUT MY SITUATION WAS ABUSIVE AND DISTURBING FOR ME AND MY UNBORN CHILD (AT THAT TIME). I HAVE REMOVED MYSELF AND CHILDREN FROM THAT SITUATION AND WITH ADDED MATURITY, MY PRIORITIES ARE DIFFERENT. MY GOAL IS TO JOIN THE ~~NAVY~~ <sup>NAVY</sup> NOW, I WOULD LOVE TO REENLIST AS AN AIRMAN IN THE AIRFORCE BUT I KNOW I RUINED THAT OPPORTUNITY. PLEASE RAISE MY DISCHARGE AND GIVE ME ~~ANOTHER CHANCE AT BEING A SOLDIER,~~ I GUARANTEE YOU WONT REGRET IT + I PROMISE TO SHOW THAT I CAN APPLY MYSELF TO THE SKILL I NEED TO LEARN IN WHATEVER TRADE I OBTAIN.

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

<p align="center"><b>ARMY</b></p> <p>Army Review Boards Agency Support Division, St. Louis 9700 Page Avenue St. Louis, MO 63132-5200 (See <a href="http://arba.army.pentagon.mil">http://arba.army.pentagon.mil</a>)</p>	<p align="center"><b>NAVY AND MARINE CORPS</b></p> <p>Naval Council of Personnel Boards 720 Kennon Street, S.E. Room 309 (NDRB) Washington Navy Yard, DC 20374-5023</p>
<p align="center"><b>AIR FORCE</b></p> <p>Air Force Review Boards Agency SAF/MRBR 650-C Street West, Suite 40 Randolph AFB, TX 78150-4742</p>	<p align="center"><b>COAST GUARD</b></p> <p>U.S. Coast Guard Commandant (CG-122) 2100 Second Street, S.W. Room 5500 Washington, DC 20593</p>



**OHIO AIR NATIONAL GUARD**  
123RD AIR CONTROL SQUADRON (CRE)  
10649 MCKINLEY ROAD  
BLUE ASH ANG STATION, CINCINNATI, OHIO 45242-3797

7 April 2003

MEMORANDUM FOR: [REDACTED]

FROM: 123 ACS/CC  
BLUE ASH ANG STATION  
10649 MCKINLEY RD  
CINCINNATI, OH 45242-3797

SUBJECT: Notification Letter, Non-Board Eligible

1. I am recommending your discharge from the Ohio Air National Guard and as a Reserve in the United States Air Force for Unsatisfactory Performance, according to AFI 36-3209, under the provisions of para 3.18.6. Copies of the documents to be forwarded to the separation authority to support this recommendation are in attachment 1. Verification of attachment 1 can be accomplished by reviewing your training records in the Education and Training office.
2. My reasons for this action are your failure to attain required job skill proficiency.
3. This action could result in your separation with a General Discharge. I am recommending you receive a general discharge. The Adjutant General of Ohio as discharge authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Ohio Air National Guard and will probably be denied enlistment in any component of the Armed Forces. If you received advanced education assistance moneys or special pay or bonuses you may be required to repay the US for these moneys under the authority 10 U.S.C., Section 2005)
4. You have the right to:
  - a. Consult legal counsel.
  - b. Submit statements in your own behalf.
  - c. Waive your above rights.
5. Military legal counsel, [REDACTED] Lt Col, 178 FW/JAG, Phone (614) 462-5420 or DSN 346-2206, is available to assist you. Instead of the appointed counsel, you may have another, if the lawyer you request is in the active military service and is reasonable available as determined according to AFI 51-201. In addition to military counsel, you have the right to employ civilian counsel. The Air Force does not pay expenses incident to the employment of civilian counsel. Civilian counsel, if employed, must be readily available.
6. Confer with your counsel and reply in writing, within 30 days from the date of this letter, specifying the rights you choose to exercise (see attachment 3). The statement must be signed. The appropriate authority will consider granting an extension of the time to reply if additional time is needed by respondent or counsel. Respondent or counsel must submit a written request for such delay, stating the reasons and how much time is needed. The decision whether to grant the additional time is discretionary with the appropriate authority.
7. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3209 is available for your use in the 123 ACS Orderly Room.
8. Execute the attached acknowledgment and return it to me within 24 hours after receipt of this letter of notification and attachments. (Attachment 2)

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9. Within 30 days after receipt of this letter, return the enclosed Statement of Selection of Options to 123 ACS/CC, Blue Ash ANG Station, 10649 McKinley Road, Cincinnati, Ohio 45242-3797. Failure to acknowledge receipt within 24 hours to respond concerning selection of options within 30 days after receipt of this letter, or to request an extension of this time limit constitutes a waiver of your rights and options as described in the paragraphs 4 and 6 above.



Air Control Squadron Commander

**3 Attachments**

1. Supporting Documentation
2. Airman's Acknowledgment
3. Airman's Statement of Selection of Options