

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD							
NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)			GRADE		AFSN/SSAN		
			AMN				
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**
ISSUES	A94.05	INDEX NUMBER	A67.10	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		CASE NUMBER					
25 Apr 2007		FD-2007-00001					
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.							
* Reason and Authority + Reenlistment Code							
ENDORSEMENT				DATE: 5/7/2007			
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-2007-00001**

**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 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. The applicant has also expressed a desire for upgrade of his discharge for reenlistment into the armed forces. The records indicated the applicant received an Article 15, ten Letters of Reprimand, and three Records of Individual Counseling for misconduct. The applicant received an Article 15 for failure to go to his appointed place of duty on two separate occasions. He was punished with a reduction in grade to Airman and a reprimand. He was administratively disciplined for failure to go on eleven different occasions, failure to obey a direct order, and making a false official statement. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board concluded the applicant's 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 AMN) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Luke AFB, AZ on 29 Apr 05 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, to Change the RE Code and Reason for Discharge.

2. **BACKGROUND:**

a. DOB: 12 Jun 86. Enlmt Age: 17 0/12. Disch Age: 18 10/12. Educ: HS DIPL. AFQT: N/A. A-52, E-45, G-42, M-31. PAFSC: 2W131F - Aircraft Armament Systems F-16 Apprentice. DAS: 22 Nov 04.

b. Prior Sv: (1) AFRes 08 Jul 03 - 24 May 04 (9 months 17 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 25 May 04 for 6 years. Svd: 00 Yrs 11 Mo 05 Das, all AMS.

b. Grade Status: Amn - 10 Mar 05 (Article 15 - 10 Mar 05)  
A1C - 09 Jul 04

c. Time Lost: None.

d. Art 15's: (1) 10 Mar 05, Luke AFB, AZ - Article 86. You did, on or about 3 Feb 05, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: building #928. Article 86. You did, on or about 4 Feb 05, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: building #928. Reduction to Amn and a reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 07 APR 05 - Failure to go.  
LOR, 07 APR 05 - Failure to go.  
LOR/UIF, 07 APR 05 - Failure to go.  
LOR, 06 APR 05 - Failure to go.  
RIC, 07 MAR 05 - Failure to obey a direct order from an NCO.  
LOR, 04 MAR 05 - Failure to go.  
LOR, 24 FEB 05 - Failure to go.  
LOR, 16 FEB 05 - Failure to go.  
LOR, 10 FEB 05 - Failure to go.  
LOR, 01 FEB 05 - Failure to go and making a false official statement.  
LOR, 29 DEC 04 - Failure to go.  
RIC, 27 DEC 04 - Failure to go.

RIC, 02 DEC 04 - Reported late for duty and then had to be  
called on another day to report to work.  
(EXAMINERS NOTE: Information taken from the Letter of  
Notification. Documents are missing from file.)

f. CM: None.

g. Record of SV: None.

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

i. Stmt of Sv: TMS: (01) Yrs (09) Mos (22) Das  
TAMS: (00) Yrs (11) Mos (05) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 27 Dec 05.

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

Issue 1: I would like to upgrade to a (sic) honorable discharge. I would  
like to try to get back into the military service. Because at the time I wasn't  
ready for the military because the decision to go in was not my own. Since I  
come (sic) out of the military I wish things with me would have been different.  
I wish I would have stayed in and see then what I see now.

ATCH

1. DD Form 214

14FEB07/day



## DEPARTMENT OF THE AIR FORCE

756TH AIRCRAFT MAINTENANCE SQUADRON  
LUKE AIR FORCE BASE, ARIZONA 85309

APR 18 2005

MEMORANDUM FOR AMN: [REDACTED]

FROM: 756 AMXS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct: Minor Disciplinary Infractions. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your service will be characterized as Honorable or Under Honorable Conditions (General). I am recommending that your service be characterized as Under Honorable Conditions (General).

2. My reason for this action is:

- a. On or about 30 Nov 04, you reported to duty late. On or about 2 Dec 04, members from your unit had to call you to report to work. For this misconduct, you received a Record of Individual Counseling, dated 2 Dec 04.
- b. On or about 27 Dec 04, you failed to go to your appointed place of duty. For this misconduct, you received a Record of Individual Counseling, dated 27 Dec 04.
- c. On or about 29 Dec 04, you failed to go to your appointed place of duty. For this misconduct, you received a Letter of Reprimand, dated 29 Dec 04.
- d. On or about 25 Jan 05, you failed to go to your appointed place of duty; you also made a false official statement. For this misconduct, you received a Letter of Reprimand, dated 1 Feb 05.
- e. On or about 3 Feb 05, you failed to go to your appointed place of duty. For this misconduct, you received an Article 15, dated 10 Mar 05. Your punishment included a reduction to the grade of E-2 and a reprimand. This action established an Unfavorable Information File (UIF).
- f. On or about 4 Feb 05, you failed to go to your appointed place of duty, as evidenced by the Article 15, dated 10 Mar 05.
- g. On or about 8 Feb 05, you failed to go to your appointed place of duty. For this misconduct, you received a Letter of Reprimand, dated 10 Feb 05.
- h. On or about 9 Feb 05, you failed to go to your appointed place of duty. For this misconduct, you received a Letter of Reprimand, dated 16 Feb 05.
- i. On or about 11 Feb 05, you failed to go to your appointed place of duty. For this misconduct, you received a Letter of Reprimand, dated 24 Feb 05.

- j. On or about 16 February 05, you failed to go to your appointed place of duty. For this misconduct, you received a Letter of Reprimand, dated 4 Mar 05.
- k. On or about 5 Mar 05, you failed to obey a direct order from a non-commissioned officer. For this misconduct, you received a Record of Individual Counseling, dated 7 Mar 05.
- l. On or about 21 Mar 05, you failed to go to your appointed place of duty. For this misconduct, you received a Letter of Reprimand, dated 6 Apr 05.
- m. On or about 4 April 05, you failed to go to your appointed place of duty. For this misconduct, you received a Letter of Reprimand, dated 7 Apr 05. This action was placed in your existing UIF.
- n. On or about 5 Apr 05, you failed to go to your appointed place of duty, as evidenced by the Letter of Reprimand you received dated 7 Apr 05.
- o. On or about 6 Apr 05 you failed to go to your appointed place of duty, as evidenced by the Letter of Reprimand you received dated 7 Apr 05.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or higher authority will decide whether you will be discharged or retained in the United States Air Force and, if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force and any special pay, bonus, or education assistance funds may be subject to recoupment. The separation authority will make the findings and recommendations required under 10 U.S.C. Section 2005(g).

3. 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 Captain: \_\_\_\_\_ at 7383 N. Litchfield Rd., Bldg. 1150, ext 6701, on 19 APR 05, at 0800 hours. You may consult civilian counsel at your own expense.

4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 21 APR 05 unless you request and receive an extension for good cause shown. I will send them to the separation authority.

5. 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.

6. You have been scheduled for a medical examination. You must report to 56th Medical Group, on 20 APR 05, at 1400 hours for the examination. You have been scheduled for a medical examination. You must retrieve your medical records from 56th Medical Group Hospital Outpatient Records and immediately report to Physical Exams, Building 810, with your medical records and your copy of this discharge file for the medical examination.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use in your unit's orderly room.

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



Commander

Attachments:

1. Supporting Documents

- a. Record of Individual Counseling, dated 2 Dec 05.
- b. Record of Individual Counseling, dated 27 Dec 05.
- c. Letter of Reprimand, dated 29 Dec 04.
- d. Letter of Reprimand, dated 1 Feb 05.
- e. Article 15, dated 10 Mar 05
- f. Letter of Reprimand, dated 10 Feb 05.
- g. Letter of Reprimand, dated 16 Feb 05.
- h. Letter of Reprimand, dated 24 Feb 05.
- i. Letter of Reprimand, dated 4 Mar 05.
- j. Record of Individual Counseling, dated 5 Mar 05.
- k. Letter of Reprimand, dated 6 Apr 05.
- l. Letter of Reprimand, dated 7 Apr 05
- m. Letter of Reprimand, dated 7 Apr 05
- n. Letter of Reprimand, dated 7 Apr 05

2. Receipt of Notification Memorandum