

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)

GRADE

AFSN/SSAN

TYPE GEN

PERSONAL APPEARANCE

X

RECORD REVIEW

COUNSEL

NAME OF COUNSEL AND OR ORGANIZATION

ADDRESS AND OR ORGANIZATION OF COUNSEL

YES

No

X

## VOTE OF THE BOARD

HON

GEN

UOTHC

OTHER

DENY

X+\*

X+\*

X+\*

X+\*

X+\*

ISSUES

A94.11

A92.21

INDEX NUMBER

A64.00

## 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

16 Sep 2010

CASE NUMBER

FD-2009-00040

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.

+ RE Code

\* Reason and Authority for Discharge

9/21/2010

550 C STREET WEST, SUITE 40  
RANDOLPH AFB, TX 78150-4742

AIR FORCE DISCHARGE REVIEW BOARD  
1535 COMMAND DR, EE WING, 3RD FLOOR  
ANDREWS AFB, MD 20762-7001

## AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2009-00040

**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 and requests that the review be completed based on the available service record.

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

**FINDING:** The Board denies the upgrade of the discharge, change of reason and authority for discharge, and change of reenlistment code.

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.

**ISSUES:**

Issue 1. Applicant contends the pattern of misconduct at the time was what the commander "believed to be DWI." However, applicant notes he has not been convicted by the state of Texas for DWI. Applicant was discharged for a pattern of misconduct; discreditable involvement with military or civil authorities. The record reflects that applicant had three Letters of Reprimand, one Record of Individual Counseling, one Memo for record, an Article 15, and a vacation of suspended punishment under Article 15. His disciplinary infractions included disrespect to his superiors, causing a major vehicle accident while driving drunk off base and becoming belligerent with the police officer on scene, signing off a "red X" aircraft discrepancy without visually assuring the condition had been corrected, failing to follow technical data, and driving drunk a second time. The Board felt that through these various disciplinary actions, applicant had ample opportunity to change his behavior over a 3.5 year period, but failed to do so. The Board could find no evidence that the commander acted capriciously or stepped outside the bounds of his authority. The board concluded the discharge was appropriate for the basis on which it was issued, and that the characterization of service accurately described applicant's period of military service.

Issue 2. Applicant believes he deserves a second chance despite his discrepancies so that he may serve his country working for a Department of Defense Contractor overseas. The Board was sympathetic to applicant's aspirations, but found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board reviewed the entire record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge.

**CONCLUSION:** 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 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 and determines the discharge should remain unchanged.

Attachment:  
Examiner's Brief

# 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	<input checked="" type="checkbox"/> AIR FORCE	COAST GUARD
b. GRADE/RANK AT DISCHARGE			E-4		
c. NAME OF PERSON NAMED IN ITEM 11 (Forward)					

2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149)	4. DISCHARGE CHARACTERIZATION RECEIVED (X one)	5. BOARD ACTION REQUESTED (X one)
20071117	<input checked="" type="checkbox"/> HONORABLE	<input checked="" type="checkbox"/> CHANGE TO HONORABLE
	<input checked="" type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS	<input checked="" type="checkbox"/> CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
	<input type="checkbox"/> UNDER OTHER THAN HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)
3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION 317 AMXS DYESS AFB, TX	<input type="checkbox"/> BAD CONDUCT (Special court-martial only)	<input checked="" type="checkbox"/> CHANGE NARRATIVE REASON FOR SEPARATION: RE Code
	<input type="checkbox"/> UNCHARACTERIZED	
	<input type="checkbox"/> 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 AM REQUESTING THE NARRATIVE REASON FOR SEPARATION TO BE CHANGED TO AND RE-ENTRY CODE TO BE UPGRADED. THE RE-ENTRY CODE OF 2B DOES NOT ALLOW ME TO ENTER INTO CONTRACT WITH ANY COMPANY THAT CONTRACTS JOBS OVERSEAS FOR THE MILITARY. I AM REQUESTING THAT THE CODE BE UPGRADED TO ALLOW ME TO BE

7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON (YYYYMMDD) AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE.

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.)

## 9. TYPE OF REVIEW REQUESTED (X one)

<input checked="" type="checkbox"/> 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.
<input type="checkbox"/> 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.
<input type="checkbox"/> 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) (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.)

a. SIGN	b. DATE SIGNED - REQUIRED (YYYYMMDD)	CASE NUMBER (Do not write in this space.)
	2009 02 17	FD-2009-00040

DD F

THIS EDITION IS OBSOLETE.

Reset

Page 1 of 4 Pages  
FormFlow/Adobe Designer 7.0

13. CONTINUATION OF ITEM 6, ISSUES (If applicable)

EMPLOYED WITH CIVILIAN COMPANIES. I WAS GIVEN THE RE-ENTRY CODE OF 2B FOR A PATTERN OF MISCONDUCT. THE PATTERN OF MISCONDUCT WAS WHAT THE COMMANDER AT THE TIME BELIEVED TO BE DWI. I HAVE NEVER BEEN CONVICTED OF DWI BY THE STATE OF TEXAS AND IT HAS BEEN OVER ONE YEAR SINCE THE INCIDENT. I ONLY WANT TO GAIN EMPLOYMENT WITH A PRIVATE CONTRACTOR. I DO NOT WISH TO ENTER THE MILITARY.

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

15. REMARKS (If applicable)

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

**ARMY**

Army Review Boards Agency  
Support Division, St. Louis  
9700 Page Avenue  
St. Louis, MO 63132-5200  
(See <http://arba.army.pentagon.mil>)

**NAVY AND MARINE CORPS**

Naval Council of Personnel Boards  
720 Kennon Street, S.E.  
Room 309 (NDRB)  
Washington Navy Yard, DC 20374-5023

**AIR FORCE**

Air Force Review Boards Agency  
SAF/MRBR  
550-C Street West, Suite 40  
Randolph AFB, TX 78150-4742

**COAST GUARD**

U.S. Coast Guard  
Commandant (CG-122)  
2100 Second Street, S.W. Room 5500  
Washington, DC 20593

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

AEDRB BRIEF							
				DOCKET # <b>FD2009-00040</b>		COMPONENT: <b>USAF</b>	
TYPE OF DISCHARGE: <b>GENERAL</b>		DISCHARGE FROM: <b>DYESS AFB, TX</b>		DISCHARGE DATE: <b>19 NOV 07</b>		APPEALS FOR: <b>HON DISCH, RE CODE AND NARRATIVE REASON</b>	
DOB/ ENLMT AGE : <b>1 APR 84 17 10/12</b>		DISCH AGE: <b>23 7/12</b>		FORMER: <b>SRA</b>		HGH: <b>SSGT</b>	
AFSC: <b>2A571 - AEROSPACE MAINT CRAFTSMAN</b>				DEP DT: <b>10 SEP 01</b>		ASVAB SCORES: <b>A: 49 E: 60 G: 38 M: 55</b>	
D. ART 15: <b>ART 15: 1 / VAC: 1</b>		D. LOR, LOA, RIC, LOC: <b>LOR: 3/ RIC: 1/ MFR: 1</b>		E. SPCM / GCM: <b>NONE</b>		ADDITIONAL: (IE. CIVIL CONV, CDC) <b>NONE</b>	
F. RECORD OF SERVICE (EPR/ OPR, PAST TO PRESENT) : <div style="display: flex; justify-content: space-between;"> <span><b>12 OCT 02 - 12 OCT 03 DYESS AFB 5 (INITIAL)</b></span> <span><b>13 OCT 03 - 12 OCT 04 DYESS AFB 5 (ANNUAL)</b></span> </div> <div style="display: flex; justify-content: space-between;"> <span><b>13 OCT 04 - 12 OCT 05 DYESS AFB 5 (ANNUAL)</b></span> <span><b>13 OCT 05 - 12 OCT 06 DYESS AFB 5 (ANNUAL)</b></span> </div>							
G. AWARDS & DECS: <b>AFOUA w/3OLC, AFGCM, NDSM, ACM, GWOTEM, GWOTSM, AFESM w/GB, AFLS, USAFNCOPMEGR, AFTR</b>							
EAD: <b>12 FEB 02</b>		DAS: <b>24 AUG 02</b>		H. TMS: <b>6 YRS, 2 MOS, 9 DAS</b>		TAMS: <b>5 YRS, 9 MOS, 8 DAS</b>	
APPLN (DD FORM 293) DTD: <b>17 FEB 09</b>		DT/ INITIALS: <b>27 JUL 09/JLL</b>		NPA: <b>YES</b>		PA: <b>NO</b>	
RECORDS :		MPR:		ARMS: <b>X</b>		STR: <b>X</b>	
				ISSUES: <b>YES</b>		ATTACHMENTS: <b>NO</b>	
AUTH FOR DISCHARGE : <b>AFI 36-3208, PARA 5.50.1 (A PATTERN OF MISCONDUCT: DISCREDITABLE INVOLVEMENT WITH MILITARY OR CIVIL AUTHORITIES)</b>							
ART 15; SPMC; GCM; ADDITIONAL: <div style="margin-left: 20px;"> <b>RIC: 6 FEB 04 - FAILED TO REMOVE TRASH FROM AN AIRCRAFT.</b>  <b>LOR: 13 SEP 04 - WAS DISRESPECTFUL TO AN NCO &amp; SNCO.</b>  <b>LOR: 1 NOV 06 - CREATED A MAJOR VEHICLE ACCIDENT BY DRIVING WHILE DRUNK, BECAME LOUD &amp; BELLIGERENT TO THE POLICE OFFICER.</b>  <b>LOR: 12 JUL 07 - SIGNED OFF ON A JOB CONTROL NUMBR FOR A RED "X" DISCREPANCY WITHOUT VISUALLY IDENTIFYING THE CONDITION WAS CORRECTED.</b> </div> <div style="margin-left: 20px;"> <b>(1) ART 15: 5 OCT 07 - (ART 92) FAILED TO RETRIEVE A LEAVE AUTHORATION NUMBER.</b>  <b>MFR: 13 SEP 07 - FAILED TO PAY A JUST DEBT, FAILED TO FOLLOW TECHNICAL DATA BECAME ARGUMENTATIVE &amp; FAILED TO TONE DOWN HAIR COLOR.</b> </div> <div style="margin-left: 20px;"> <b>(2) VAC: 26 OCT 07 - (ART 92) DROVE A VEHICLE WHILE DRUNK.</b> </div>							
EXAMINER'S NOTE:							
NOTES:							

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.

[REDACTED]	ARMY	NAVY	<input checked="" type="checkbox"/> AIR FORCE	COAST GUARD
	c. GRADE/RANK AT DISCHARGE E-4			
	d. NAME IN ITEM 11 (Forward)			

2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149) 20071117	4. DISCHARGE CHARACTERIZATION RECEIVED (X one)	5. BOARD ACTION REQUESTED (X one)
	<input type="checkbox"/> HONORABLE	<input checked="" type="checkbox"/> CHANGE TO HONORABLE
	<input checked="" type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
	<input type="checkbox"/> UNDER OTHER THAN HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)
3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION 317 AMXS DYESS AFB, TX	<input type="checkbox"/> BAD CONDUCT (Special court-martial only)	<input checked="" type="checkbox"/> CHANGE NARRATIVE REASON FOR SEPARATION: RE Code
	<input type="checkbox"/> UNCHARACTERIZED	
	<input type="checkbox"/> 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 AM REQUESTING THE NARRATIVE REASON FOR SEPARATION TO BE CHANGED TO AND RE-ENTRY CODE TO BE UPGRADED. THE RE-ENTRY CODE OF 2B DOES NOT ALLOW ME TO ENTER INTO CONTRACT WITH ANY COMPANY THAT CONTRACTS JOBS OVERSEAS FOR THE MILITARY. I AM REQUESTING THAT THE CODE BE UPGRADED TO ALLOW ME TO BE

7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON (YYYYMMDD) AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE.

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.)

9. TYPE OF REVIEW REQUESTED (X one)

<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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) (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, and relationship by marking a box below.

Indicate the name (print)

<input type="checkbox"/> SPOUSE	<input type="checkbox"/> WIDOW	<input type="checkbox"/> WIDOWER	<input type="checkbox"/> NEXT OF KIN	<input type="checkbox"/> LEGAL REPRESENTATIVE	<input type="checkbox"/> 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

b. DATE SIGNED - REQUIRED (YYYYMMDD)

2009 02 17

FD-2009-00040

DD FORM

PREVIOUS EDITION IS OBSOLETE.

Reset

Page 1 of 4 Pages  
FormFlow/Adobe Designer 7.0

13. CONTINUATION OF ITEM 6, ISSUES (If applicable)

EMPLOYED WITH CIVILIAN COMPANIES. I WAS GIVEN THE RE-ENTRY CODE OF 2B FOR A PATTERN OF MISCONDUCT. THE PATTERN OF MISCONDUCT WAS WHAT THE COMMANDER AT THE TIME BELIEVED TO BE DWI. I HAVE NEVER BEEN CONVICTED OF DWI BY THE STATE OF TEXAS AND IT HAS BEEN OVER ONE YEAR SINCE THE INCIDENT. I ONLY WANT TO GAIN EMPLOYMENT WITH A PRIVATE CONTRACTOR. I DO NOT WISH TO ENTER THE MILITARY.

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

15. REMARKS (If applicable)

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

**ARMY**

Army Review Boards Agency  
Support Division, St. Louis  
9700 Page Avenue  
St. Louis, MO 63132-5200  
(See <http://arba.army.pentagon.mil>)

**NAVY AND MARINE CORPS**

Naval Council of Personnel Boards  
720 Kennon Street, S.E.  
Room 309 (NDRB)  
Washington Navy Yard, DC 20374-5023

**AIR FORCE**

Air Force Review Boards Agency  
SAF/MRBR  
550-C Street West, Suite 40  
Randolph AFB, TX 78150-4742

**COAST GUARD**

U.S. Coast Guard  
Commandant (CG-122)  
2100 Second Street, S.W. Room 5500  
Washington, DC 20593



DEPARTMENT OF THE AIR FORCE  
317<sup>TH</sup> AIRCRAFT MAINTENANCE SQUADRON (AMC)  
DYESS AIR FORCE BASE, TEXAS

8 Nov 07

MEMORANDUM FOR [REDACTED]

FROM: 317 AMXS/CC [REDACTED]

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for A Pattern of Misconduct - Discreditable Involvement With Military or Civil Authorities. The authority for this action is AFI 36-3208, paragraph 5.50.1. If my recommendation is approved, your service will be characterized as Honorable or General. I am recommending that your service be characterized as General (Under Honorable Conditions).

2. My reasons for this action are:

a. You did, on 5 Feb 04, fail to obey a lawful order given to you by [REDACTED]. [REDACTED] told you to remove the trash from aircraft 74-1667 after completing a preflight inspection, an order you failed to obey. For this misconduct you were counseled, as evidenced by AF Form 174, dated 6 Feb 04.

b. You were, while deployed to Kandahar Air Base, Afghanistan, disrespectful to [REDACTED] for which you were reprimanded, as evidenced by LOR, dated 15 Sep 04.

c. You did, on 15 Oct 06, drive a vehicle while drunk which resulted in a major vehicle accident. When Officer Shawn Montgomery, Abilene Police Department, arrived at the scene, you were loud and belligerent. This can be evidenced by Incident Report Summary, dated 15 Oct 06, Case Number 12006100048. For this misconduct you were reprimanded, as evidenced by LOR, dated 1 Nov 06.

d. You were, on 21 Jul 07, derelict in the performance of your duties in that you did sign off on Job Control Number 1712663 on aircraft 74001666, a Red "X" discrepancy, without visually identifying the condition was corrected. For this misconduct you were reprimanded and an Unfavorable Information File was established, as evidenced by LOR, dated 12 Jul 07, and AF IMT 1058, dated 8 Nov 06.



e. You did, from 17 Aug 07 to 22 Aug 07, fail to retrieve a leave authorization number before departing the local area as it was your duty to do, for which you received Article 15 punishment, as evidenced by AF Form 3070A, dated 4 Oct 07.

f. You did, on 23 Aug 07, fail to pay a just debt to your Government Charge Card account. You were, on 23 Aug 07, derelict in the performance of your duties in that you failed to follow technical data by working during hours of darkness without property safety equipment. When the Quality Assurance Inspectors made the find you because argumentative. You did, on 23 Aug 07, report for duty with your hair dyed a "bleachy-white" color. You did, on 12 Sep 07, fail to obey a lawful order given to you by [REDACTED] in that you failed to tone down his hair color as it was your duty to do. This misconduct can be evidenced by MFR, dated 13 Sep 07.

g. You did, on 26 Oct 07, drive a vehicle while drunk, for which your suspended reduction in rank was vacated, as evidenced by AF Form 366, dated 5 Nov 07.

3. 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 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.

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 the Area Defense Counsel on **7 Nov 07 at 1400 hours**. You may consult civilian counsel at your own expense.

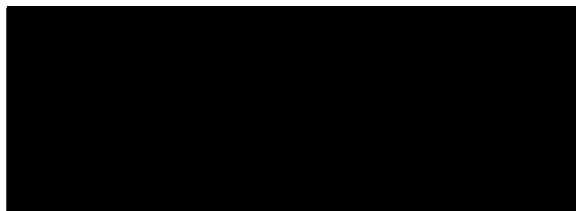
5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by **14 Nov 07, at 0800 hours**, unless you request and receive an extension for good cause shown. I will send them to the separation authority.

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 on **14 Nov 07 at 1500 hours**, at the 7th Medical Group. You must report 15 minutes early.

8. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFI 36-3208. A copy of AFI 36-3208 is available for your use in the orderly room.

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



Attachments:

1. Airman's Receipt of  
Letter of Notification
2. AF Form 174, dated 6 Feb 04
3. LOR, dated 13 Sep 04
4. LOR, dated 1 Nov 06
5. Incident Report Summary, Case 12006100048  
Dated 15 Oct 06
6. LOR, dated 12 Jul 07 w/Response
7. AF IMT 1058, dated 8 Nov 06
8. AF Form 3070A, dated 4 Oct 07 w/Response
9. MFR, dated 13 Sep 07
10. MFR, dated 10 Sep 07
11. MFR, dated 12 Sep 07
12. AF Form 366, dated 5 Nov 07 w/Response
13. Abilene Police Department Arrest Report, Case 07-020755
14. Abilene Police Department Incident/Investigation Report  
Case #07-020755