

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]	<b>GRADE</b> SSGT	<b>AFSN/SSAN</b> [REDACTED]
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<b>TYPE</b>	<b>X</b>	<b>PERSONAL APPEARANCE</b>	<b>RECORD REVIEW</b>
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<b>COUNSEL</b>	<b>NAME OF COUNSEL AND OR ORGANIZATION</b>	<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>
<b>YES</b>	<b>No</b>	<b>ATTN: [REDACTED]</b> <b>WASHINGTON DC 20000</b>
<b>X</b>		

VOTE OF THE BOARD				
HON	GEN	UOTHC	OTHER	DENY
				X*+
				X*+
				X*+
				X*+
				X*+

<b>INDEX NUMBER</b>	A92.35 A92.21 A94.05	A67.90 A61.00	<b>EXHIBITS SUBMITTED TO THE BOARD</b>
			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

<b>HEARING DATE</b>	<b>CASE NUMBER</b>
16 Dec 2010	FD-2009-00083

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 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

<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 20762-7001
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

**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 appeared and testified before the Discharge Review Board (DRB), with counsel from The American Legion [REDACTED] at Andrews AFB on 16 December 2010.

The following additional exhibits were submitted at the hearing:

- Exhibit 5: The American Legion Statement
- Exhibit 6: Police Report
- Exhibit 7: Law Office Memorandum
- Exhibit 8: Memorandum
- Exhibit 9: Police Report on Incident
- Exhibit 10: Letter of Reprimand
- Exhibit 11: Character Letter
- Exhibit 12: Memorandum Regarding Paid Debt
- Exhibit 13: AF Training Certificate
- Exhibit 14: AF Performance Reports
- Exhibit 15: Associate and Bachelor's Degrees
- Exhibit 16: College Transcripts
- Exhibit 17: Personal Statement

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.

**ISSUE:**

Issue 1. Applicant contends discharge was inequitable because it was too harsh and based on an isolated incident. The records indicated the applicant was administratively disciplined for issuing bad checks which led to a military and civilian investigation, being arrested for obstruction of justice, delinquent on GTC account and for being arrested at Walmart for shoplifting in which she was placed on probation for five years by a civilian court. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her 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.

Issue 2. Applicant states that her discharge did not take into account the good things she did while in the service. The DRB took note of the applicant's duty performance as documented by her performance reports, letters of recommendation and other accomplishments. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for the reasons which were the basis for this case.

Issue 3. The DRB was pleased to see that the applicant was doing well and has a good job. However, no inequity or impropriety in her discharge was suggested or found in the course of the hearing. The Board concluded the misconduct of the applicant appropriately characterized her term of service.

**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.

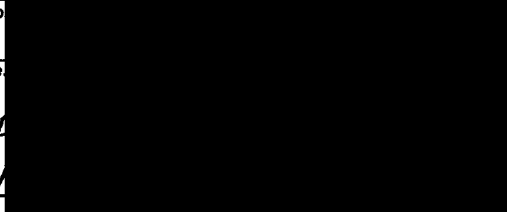
**PRINCIPAL PURPOSE(S):** To apply for a change in the characterization or reason for military discharge issued to an individual.

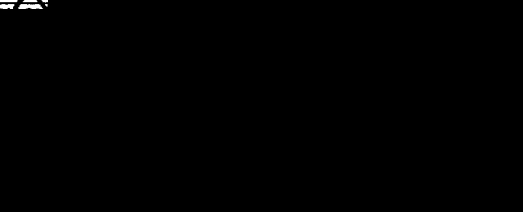
**ROUTINE USE(S):** None.

**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     AIR FORCE     COAST GUARD

b.     c. GRADE/RANK AT SEPARATION: **E5/SSG**

e. NAME IN ITEM 11 *(Forward)* 

2. REASON FOR REQUEST FOR CHANGE CHARACTERIZATION RE 

3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION <b>20051013</b> <b>780881RobinsAFB GA</b>	<input type="checkbox"/> HONORABLE	<input checked="" type="checkbox"/> CHANGE TO HONORABLE
	<input type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS	<input checked="" type="checkbox"/> CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
	<input checked="" type="checkbox"/> UNDER OTHER THAN HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO UNCHARACTERIZED <i>(Not applicable for Air Force)</i>
	<input type="checkbox"/> BAD CONDUCT <i>(Special court-martial only)</i>	<input type="checkbox"/> CHANGE NARRATIVE REASON FOR SEPARATION:
	<input type="checkbox"/> UNCHARACTERIZED	
	<input type="checkbox"/> OTHER <i>(Explain)</i>	

**6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST** *(Continue in Item 13. See instructions on Page 3.)*

*My discharge was inequitable because it was primarily based on one incident however, there were incidents used in connection where I proved I had no control over. There were supporting*

**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.)*

*Current Character letter from my last military supervisor.  
Character letter from the DO at that time.  
Character letters from the unit secretary and other co-workers  
Character letters from military friends.*

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

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.

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.)*  
**NCOA**

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 imprisoned not more than 5 years, or both.)*

b. DATE SIGNED - REQUIRED *(YYYYMMDD)*  
**20090202**

CASE NUMBER *(Do not write in this space.)*  
**FD2009-00083**

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

document to show I should not have received LDC's or LOR's.  
 ③ I believe my discharge was improper because I just received an EPR a few months before stating I should be considered for promotion. ④ My commander at the time was very close with the commander in charge of the board. ⑤ I believe it was improper because my case was rushed because my commander was PWSing. ⑥ I believe it was improper because I was being unfairly targeted by the commander's 1st Sgt compared to airmen who received DUT's. Any other unit or base I would not have been discharged w/NOTA.

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

15. REMARKS (If applicable)

Since separating from the Air Force, I had the opportunity to attend school as a full-time student. I will be graduating with my 1st degree in April 09' and my 2nd in December 09'. I have spent the last 3 1/2 years living a life of high responsibility and have matured a great deal. I would like the opportunity to proudly serve my country again with the utmost dignity.

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**

AFDRB BRIEF					
[REDACTED]			DOCKET # FD2009-00083		COMPONENT: USAF
TYPE OF DISCHARGE: UOTHC	DISCHARGE FROM: ROBINS AFB, GA	DISCHARGE DATE: 13 OCT 05	APPEALS FOR: HON DISCH, NARRATIVE REASON & RE CODE		
DOB/ ENLMT AGE : 15 MAR 79 18 6/12	DISCH AGE: 26 6/12	FORMER: SSGT	HGH: SSGT	B. CURRENT DOR: 1 SEP 04	C. TIME LOST: NONE
AFSC: 3S051 - PERSONNEL JOURNEYMAN		DEP DT: 15 JAN 97	ASVAB SCORES: A: 50 E: 40 G: 48 M: 46		
D. ART 15: NONE	D. LOR, LOA, RIC, LOC: LOR: 2 / LOC: 2	E. SPCM / GCM: NONE	ADDITIONAL: (IE. CIVIL CONV, CDC) YES		
F. RECORD OF SERVICE (EPR/ OPR, PAST TO PRESENT) : 18 JUL 02 - 2 JUL 03 SHAW AFB 2 (CRO) 3 JUL 03 - 30 MAR 04 ROBINS AFB 5 (CRO) 31 MAR 04 - 30 MAR 05 ROBINS AFB 4 (ANNUAL)					
G. AWARDS & DECS: AFAM, AFTR, AFLSA w/1OLC, NDSM, NCOPMER, GWOTSM, AFOUA w/2 OLC, AFGCM w/1OLC					
EAD: 24 SEP 97	DAS: 4 AUG 03	H. TMS: 8 YRS, 8 MOS, 27 DAS	TAMS: 8 YRS, 0 MOS, 19 DAS		
APPLN (DD FORM 293) DTD: 2 FEB 09	DT/ INITIALS: 27AUG09/JLL	NPA: NO	PA: YES-WASHINGTON D.C.		
RECORDS :	MPR:	ARMS: X	STR: X	ISSUES: YES	ATTACHMENTS: YES
AUTH FOR DISCHARGE : AFI 36-3208, PARA 5.51 & 5.50.2 (MISCONDUCT: CIVILIAN CONVICTION & CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE)					
ART 15; SPCM; GCM; ADDITIONAL:  LOR: 26 JUN 03 - ISSUED BAD CHECKS WHICH LED TO A MILITARY AND CIVILIAN INVESTIGATION. LOC: 28 JUL 04 - ARRESTED FOR OBSTRUCTION OF JUSTICE . LOC: 2 MAR 05 - DELINQUENT ON GTC ACCOUNT. LOR: 14 MAR 05 - FAILED TO MAINTAIN FUNDS IN BANKING ACCOUNT TO COVER A CHECK.					
EXAMINER'S NOTE: PLED GUILTY AFTER ARRESTED ON 18 DEC 04 BY CIVILIAN AUTHORTIES FOR SHOPLIFITING & FELONY THEFT AT WAL-MART.					
NOTES:					

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ORPS	NAVY
c. GRADE/RANK AT DISCHARGE	
E5/SSgt	
FORWARDED IN ITEM 11 <i>(Forward)</i>	

**CHARACTERIZATION RECEIVED** *(X one)* **5. BOARD ACTION REQUESTED** *(X one)*

*(YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149)*

20051013

<input type="checkbox"/>	HONORABLE
<input type="checkbox"/>	GENERAL/UNDER HONORABLE CONDITIONS
<input checked="" type="checkbox"/>	UNDER OTHER THAN HONORABLE CONDITIONS
<input type="checkbox"/>	BAD CONDUCT <i>(Special court-martial only)</i>
<input type="checkbox"/>	UNCHARACTERIZED
<input type="checkbox"/>	OTHER <i>(Explain)</i>

<input checked="" type="checkbox"/>	CHANGE TO HONORABLE
<input type="checkbox"/>	CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
<input type="checkbox"/>	CHANGE TO UNCHARACTERIZED <i>(Not applicable for Air Force)</i>
<input type="checkbox"/>	CHANGE NARRATIVE REASON FOR SEPARATION:

**3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION**

780881 Robins AFB GA

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NCOA

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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 title or imprisoned not more than 5 years, or both.)*

**CASE NUMBER** *(Do not write in this space.)*

**b. DATE SIGNED - REQUIRED** *(YYYYMMDD)*

26090202

FD2009-00083

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

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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  
78th OPERATIONS SUPPORT SQUADRON (AFMC)  
ROBINS AIR FORCE BASE, GEORGIA

16 May 05

MEMORANDUM FOR STAFF SERGEANT [REDACTED]

FROM: 78 OSS/CC

SUBJECT: Notification Memorandum – Board Hearing

1. I am recommending your discharge from the United States Air Force for a civilian conviction and conduct prejudicial to good order and discipline according to AFPD 36-32, Military Retirements and Separations, and AFI 36-3208, Administrative Separation of Airmen, under the provisions of paragraphs 5.51 and 5.50.2. Copies of the documents to be forwarded to the separation authority to support this recommendation are attached.

2. My reasons for this action are:

a. On 20 Jun 03, you were questioned by Security Forces in regards to an outstanding warrant for your arrest issued in South Carolina for issuing worthless checks. You voluntarily surrendered to authorities and were issued a summons to appear in court on 10 Jul 03 for additional returned checks. For these offenses, you received a Letter of Reprimand (LOR) dated 26 Jun 03, and the incident was annotated in your existing UIF.

b. On 15 May 04, you hosted an ALS graduation party at your residence. During the party several of your guests engaged in unlawful acts: underage drinking, drinking and driving, illegal possession of a firearm, and a domestic dispute. You did not commit the above named offenses; however, you were arrested for "obstruction of justice" for not fully cooperating with the Houston County Sheriff's responding to the domestic violence incident. For this offense, you received a Letter of Counseling (LOC) dated 28 Jul 04.

c. On 18 Dec 04, you were arrested by the Perry Police Department for felony shoplifting and theft by deception at the Perry Wal-Mart. On 27 Apr 05, you pled guilty for these offenses under the provisions of the First Offenders Act (GA, Laws 1968, p. 324) in Houston County Superior Court and were adjudged five years probation, assessed fines totaling \$419.50, were banished from Wal-Mart, and will be considered for early termination after one year of probation at the discretion of the Probation Department.

d. In Feb 05, you were identified on the Government Travel Card (GTC) Delinquency Report as being 30 days delinquent in the payment of your GTC account with a balance of \$705.89. For this offense, you received a Letter of Counseling (LOC) dated 2 Mar 05.

e. On 3 Mar 05, the commander was notified by a collection agency that you had failed to maintain sufficient funds in your account to cover a check written against said account in the

amount of \$218.00. Upon further investigation, it was discovered that the agency had contacted you concerning the "bounced" check and your responsibility to reconcile your indebtedness in a timely manner; however, you failed to do so. For this offense, you received an LOR dated 14 Mar 05.

3. This action could result in your separation with an under other than honorable conditions discharge (UOTHC). I am recommending that you receive a UOTHC discharge. The commander exercising Special Court-Martial (SPCM) jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force and will probably be denied enlistment in any component of the armed forces.

4. You have the right to:

- a. Consult legal counsel.
- b. Present your case to an administrative discharge board, subject to your availability.
- c. Be represented by legal counsel at a board hearing.
- d. Submit statements in your own behalf in addition to, or in lieu of, the board hearing.
- e. Waive the above rights. You must consult legal counsel before making a decision to waive any of your rights.

5. You have an appointment for an initial briefing at Separations, Bldg 905, 327-7348, at **1100 hours on 17 May 05**. Please bring an escort for your assistance.

6. You have been scheduled for a medical examination. You must report to Family Practice (Desk 2) located in Building 700A at **0955 hours on 18 May 05**. You must be in uniform and arrive 15 minutes prior to the scheduled appointment.

7. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult with Area Defense Counsel, 926-5852, at **1400 hours on 16 May 05**. Instead of the appointed counsel, you may have another, if the lawyer you request is in the active military service and is reasonably available as determined according to AFI 51-201, Administration of Military Justice. 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.

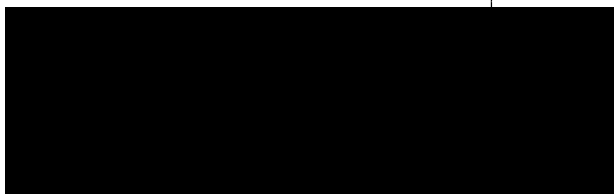
8. Confer with your counsel and reply, in writing, **within 7 workdays**, specifying the rights you choose to exercise. The statement must be signed in the presence of your counsel who also will sign it. If you waive your right to a hearing before an administrative discharge board, you may submit written statements in your own behalf. I will send the statements to the discharge authority with the case file to be considered with this recommendation. If you fail to respond, your failure will constitute a waiver of the right to the board hearing.

9. 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 at the Area Defense Counsel's Office.

10. If you request a board and you fail to appear without good cause, your failure to appear constitutes a waiver of your right to be present at the hearing.

11. If you received advanced education assistance, special pay, or bonuses, and have not completed the period of active duty you agreed to serve, you may be subject recoupment.

12. Execute the attached acknowledgement and return it to me immediately.



**Attachments:**

1. Supporting Documents
  - a. AF Form 3070, 19 Nov 01
  - b. LOR, 26 Jun 03
  - c. AF Form 1058, 2 Jul 03
  - d. LOC, 28 Jul 04
  - e. Security Forces Incident Report, 18 Dec 04
  - f. Houston County Superior Court Disposition, 27 Apr 05
  - g. LOC, 2 Mar 05
  - h. LOR, 14 Mar 05 w/atch
2. Airman's Receipt of Notification Memorandum



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS WARNER ROBINS AIR LOGISTICS CENTER (AFMC)  
ROBINS AIR FORCE BASE GEORGIA

11 / 5 October 2005

MEMORANDUM FOR WR-ALC/CC

FROM: WR-ALC/JA

SUBJECT: Legal Review of Administrative Discharge – [REDACTED]

1. I reviewed [REDACTED] administrative discharge and find it legally sufficient. This discharge is for a pattern of misconduct which is prejudicial to good order and discipline and a civilian conviction LAW AFI 36-3208, paragraphs 5.50.2 and 5.51, respectively. An administrative discharge board, 78 ABW/CC, and 78 OSS/CC recommend that [REDACTED] be separated with an under other than honorable conditions (UOTHC) discharge. This is consistent with prior practice in these types of cases and is supported by the evidence. I recommend you approve this discharge. The facts, law, and analysis supporting this recommendation are set forth below.

FACTS

2. During her current enlistment, the respondent [REDACTED] received two Letters of Reprimand (LOR). She received one LOR, dated 20 June 2005, after voluntarily surrendering to authorities in South Carolina who had issued a warrant for her arrest for writing worthless checks. On 28 July 2004, she received a Letter of Counseling (LOC) for her failure to fully cooperate with law enforcement personnel responding to a domestic violence incident involving others at her residence. On 18 December 2004, [REDACTED] was arrested by the Perry Police Department for shoplifting at Wal-Mart. She received a second LOR on 14 March 2005 for failing to reconcile her indebtedness in a timely manner after a check was returned for insufficient funds. The respondent subsequently received another LOC on 2 March 2005 for a government travel card delinquency. On 27 April 2005 [REDACTED] pled guilty to theft by shoplifting and received five years' probation and was assessed a \$419.50 fine.
3. [REDACTED] was notified on 16 May 2005 of the proposed discharge. She exercised her right to counsel and elected to present her case before an administrative discharge board. The board convened on 21 July 2005 and ultimately recommended that she be administratively discharged with a UOTHC discharge service characterization without probation and rehabilitation (P&R).
4. [REDACTED] is 26 years old with 8 years of active service. She is authorized to wear the Air Force Achievement Medal, Air Force Outstanding Unit Award with two oak leaf clusters, Air Force Good Conduct Medal with one oak leaf cluster, National Defense Service Medal, Global War on Terrorism Service Medal, Air Force Longevity Service Award Ribbon, Noncommissioned Officer Professional Military Education Ribbon, and Air Force Training Ribbon. The last overall rating on her enlisted performance report was a 4.

## LAW

5. Air Force Instruction 36-3208, paragraph 5.50.2, authorizes the discharge of Airmen who demonstrate conduct of a nature that tends to disrupt order, discipline, or morale within the military community. In addition, paragraph 5.51 of the same AFI provides for the discharge of Airmen for misconduct based on a conviction by civilian authorities if a punitive discharge is authorized for the same or a closely related offense under the *Manual for Courts-Martial*.

6. Members separated under the aforementioned provisions of AFI 36-3208 may receive an Honorable, Under Honorable Conditions (General), or Under Other Than Honorable Conditions (UOTHC) discharge. AFI 36-3208, paragraph 1.18, provides guidance for determining the appropriate characterization. An honorable characterization is appropriate when the quality of the airman's service generally has met Air Force standards of acceptable conduct and performance of duty. A general characterization is appropriate when the airman's service was honest and faithful, but the significant negative aspects of the airman's conduct outweigh the positive aspects. Finally, a UOTHC characterization is appropriate when an airman's behavior, acts, or omissions constitute a "significant departure" from conduct expected of airmen.

## ANALYSIS

7. The respondent's discharge is appropriately characterized as a UOTHC. Based on her misconduct, neither an honorable or general service characterization would be appropriate. Her civilian conviction for shoplifting, failure to cooperate with law enforcement officials, government travel card delinquency, and repeated issuance of worthless checks is a radical departure from the type of conduct expected of airmen. Consequently, the administrative board's recommendation that [REDACTED] be discharged with a UOTHC service characterization is appropriate.

8. The use of P&R is authorized in this case IAW AFI 36-3208, Chapter 7. [REDACTED] has neither demonstrated a potential to serve satisfactorily nor has she shown the capacity to be rehabilitated for continued military service or for completion of the current enlistment. Retention on active duty in a probationary status would not be consistent with the maintenance of good order and discipline in the Air Force. Therefore, the board's recommendation that the respondent be discharged without P&R is also appropriate.

9. As the separation authority in this case, you may:

- a. [REDACTED] you determine that discharge is not warranted;
- b. [REDACTED] with a general service characterization with or without P&R;
- c. [REDACTED] with a UOTHC service characterization with or without P&R; or
- d. [REDACTED] with an honorable service characterization.

**RECOMMENDATION**

10. I recommend that the respondent be discharged with a ~~HO~~THC service characterization without P&R.



Attachment:  
Record of Board Proceedings (2 vols)

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

AFDRB BRIEF					
[REDACTED]		[REDACTED]		DOCKET # FD2009-00083	COMPONENT: USAF
TYPE OF DISCHARGE: UOTHC	DISCHARGE FROM: ROBINS AFB, GA	DATE: 15 OCT 03	APPEALS FOR: HON DISCH, NARRATIVE REASON & RE CODE		
DOB/ ENLMT AGE: 15 MAR 79 18 6/12	DISCH AGE: 26 6/12	FORMER: SSGT	HGH: SSGT	B. CURRENT DOR: 1 SEP 04	C. TIME LOST: NONE
AFSC: 3S051 - PERSONNEL JOURNEYMAN		DEP DT: 15 JAN 97	ASVAB SCORES: A: 50 E: 40 G: 48 M: 46		
D. ART 15: NONE	D. LOR, LOA, RIC, LOC: LOR: 2 / LOC: 2	E. SPCM / GCM: NONE	ADDITIONAL: (IE. CIVIL CONV, CDC) YES		
F. RECORD OF SERVICE (EPR/ OPR, PAST TO PRESENT): 18 JUL 02 - 2 JUL 03 SHAW AFB 2 (CRO) 3 JUL 03 - 30 MAR 04 ROBINS AFB 5 (CRO) 31 MAR 04 - 30 MAR 05 ROBINS AFB 4 (ANNUAL)					
G. AWARDS & DECS: AFAM, AFTR, AFLSA w/1OLC, NDSM, NCOPMER, GWOTSM, AFOUA w/2 OLC, AFGCM w/1OLC					
EAD: 24 SEP 97	DAS: 4 AUG 03	H. TMS: 8 YRS, 8 MOS, 27 DAS	TAMS: 8 YRS, 0 MOS, 19 DAS		
APPLN (DD FORM 293) DTD: 2 FEB 09	DT/ INITIALS: 27AUG09/JLL	NPA: NO	PA: YES-WASHINGTON D.C.		
RECORDS:	MPR:	ARMS: X	STR: X	ISSUES: YES	ATTACHMENTS: YES
AUTH FOR DISCHARGE: AFI 36-3208, PARA 5.51 & 5.50.2 (MISCONDUCT: CIVILIAN CONVICTION & CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE)					
ART 15; SPCM; GCM; ADDITIONAL:  LOR: 26 JUN 03 - ISSUED BAD CHECKS WHICH LED TO A MILITARY AND CIVILIAN INVESTIGATION. LOC: 28 JUL 04 - ARRESTED FOR OBSTRUCTION OF JUSTICE . LOC: 2 MAR 05 - DELINQUENT ON GTC ACCOUNT. LOR: 14 MAR 05 - FAILED TO MAINTAIN FUNDS IN BANKING ACCOUNT TO COVER A CHECK.					
EXAMINER'S NOTE: PLED GUILTY AFTER ARRESTED ON 18 DEC 04 BY CIVILIAN AUTHORTIES FOR SHOPLIFITING & FELONY THEFT AT WAL-MART.					
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.

**d). PLEASE PRINT OR TYPE INFORMATION**

PS	NAVY
c. GRADE/RANK AT DISCHARGE	E5/SSgt
FORWARD IN ITEM 11 (Forward)	

**CHARACTERIZATION RECEIVED**

ago, submit a DD Form 149)  20051013  3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION  780981 Robbins AFB GA	<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)
	<input type="checkbox"/>	BAD CONDUCT (Special court-martial only)	<input type="checkbox"/>	CHANGE NARRATIVE REASON FOR SEPARATION:
	<input type="checkbox"/>	UNCHARACTERIZED	<input type="checkbox"/>	
	<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.)  
 My discharge was inequitable because it was primarily based on one incident however there were incidents used in connection where I proved I had no control over. There were supporting

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.)  
 Current Character letter from my last military supervisor.  
 Character letter from the DO at that time.  
 Character letters from the unit secretary and other co-workers.  
 Character letters from military friends.

9. TYPE OF REVIEW REQUESTED (X only)

<input 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 checked="" 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.)

NCOA

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 is signed 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 (U.S. Code, Title 18, Sections 287 imprisoned not more than 5 years, or both.)

b. DATE SIGNED - REQUIRED (YYYYMMDD)  
20090202

CASE NUMBER (Do not write in this space.)  
FD2009-00083

THIS INFORMATION IS OBSOLETE.



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

document to show I should not have received LOC's or LOR's.  
 (3) I believe my discharge was improper because I just received an EPR a few months before stating I should be considered for promotion. (4) My commander at the time was very close with the commander in charge of the board. (5) I believe it was improper because my case was rushed because my commander was PWSing. (6) I believe it was improper because I was being unfairly targeted by the commander; 1st Sgt compared to airman who received DIT's. Any other unit or base I would not have been discharged with UO7A.

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

15. REMARKS (If applicable)

Since separating from the Air Force, I had the opportunity to attend school as a full-time student. I will be graduating with my 1st degree in April 09' and my 2nd in December 09'. I have spent the last 3 1/2 years living a life of high responsibility and have matured a great deal. I would like the opportunity to proudly serve my country again with the utmost dignity.

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

<p><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><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><b>AIR FORCE</b></p> <p>Air Force Review Boards Agency                  SAF/MRBR                  550-C Street West, Suite 40                  Randolph AFB, TX 78150-4742</p>	<p><b>COAST GUARD</b></p> <p>U.S. Coast Guard                  Commandant (CG-122)                  2100 Second Street, S.W. Room 5500                  Washington, DC 20593</p>



DEPARTMENT OF THE AIR FORCE  
78th OPERATIONS SUPPORT SQUADRON (AFMC)  
ROBINS AIR FORCE BASE, GEORGIA

16 May 05

MEMORANDUM FOR STAFF SERGEANT [REDACTED]

FROM: 78 OSS/CC

SUBJECT: Notification Memorandum – Board Hearing

1. I am recommending your discharge from the United States Air Force for a civilian conviction and conduct prejudicial to good order and discipline according to AFD 36-32, Military Retirements and Separations, and AFI 36-3208, Administrative Separation of Airmen, under the provisions of paragraphs 5.51 and 5.50.2. Copies of the documents to be forwarded to the separation authority to support this recommendation are attached.

2. My reasons for this action are:

a. On 20 Jun 03, you were questioned by Security Forces in regards to an outstanding warrant for your arrest issued in South Carolina for issuing worthless checks. You voluntarily surrendered to authorities and were issued a summons to appear in court on 10 Jul 03 for additional returned checks. For these offenses, you received a Letter of Reprimand (LOR) dated 26 Jun 03, and the incident was annotated in your existing UIF.

b. On 15 May 04, you hosted an ALS graduation party at your residence. During the party several of your guests engaged in unlawful acts: underage drinking, drinking and driving, illegal possession of a firearm, and a domestic dispute. You did not commit the above named offenses; however, you were arrested for "obstruction of justice" for not fully cooperating with the Houston County Sheriff's responding to the domestic violence incident. For this offense, you received a Letter of Counseling (LOC) dated 28 Jul 04.

c. On 18 Dec 04, you were arrested by the Perry Police Department for felony shoplifting and theft by deception at the Perry Wal-Mart. On 27 Apr 05, you pled guilty for these offenses under the provisions of the First Offenders Act (GA, Laws 1968, p. 324) in Houston County Superior Court and were adjudged five years probation, assessed fines totaling \$419.50, were banished from Wal-Mart, and will be considered for early termination after one year of probation at the discretion of the Probation Department.

d. In Feb 05, you were identified on the Government Travel Card (GTC) Delinquency Report as being 30 days delinquent in the payment of your GTC account with a balance of \$705.89. For this offense, you received a Letter of Counseling (LOC) dated 2 Mar 05.

e. On 3 Mar 05, the commander was notified by a collection agency that you had failed to maintain sufficient funds in your account to cover a check written against said account in the

amount of \$218.00. Upon further investigation, it was discovered that the agency had contacted you concerning the "bounced" check and your responsibility to reconcile your indebtedness in a timely manner; however, you failed to do so. For this offense, you received an LOR dated 14 Mar 05.

3. This action could result in your separation with an under other than honorable conditions discharge (UOTHC). I am recommending that you receive a UOTHC discharge. The commander exercising Special Court-Martial (SPCM) jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force and will probably be denied enlistment in any component of the armed forces.

4. You have the right to:

- a. Consult legal counsel.
- b. Present your case to an administrative discharge board, subject to your availability.
- c. Be represented by legal counsel at a board hearing.
- d. Submit statements in your own behalf in addition to, or in lieu of, the board hearing.
- e. Waive the above rights. You must consult legal counsel before making a decision to waive any of your rights.

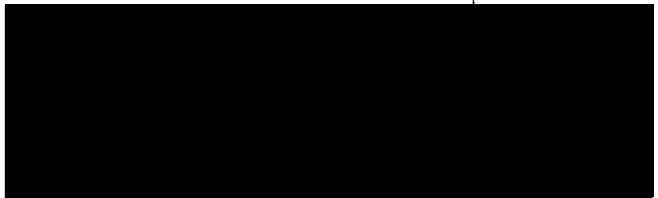
5. You have an appointment for an initial briefing at Separations, Bldg 905, 327-7348, at **1100 hours on 17 May 05**. Please bring an escort for your assistance.

6. You have been scheduled for a medical examination. You must report to Family Practice (Desk 2) located in Building 700A at **0955 hours on 18 May 05**. You must be in uniform and arrive 15 minutes prior to the scheduled appointment.

7. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult with Area Defense Counsel, 926-5852, at **1400 hours on 16 May 05**. Instead of the appointed counsel, you may have another, if the lawyer you request is in the active military service and is reasonably available as determined according to AFI 51-201, Administration of Military Justice. 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.

8. Confer with your counsel and reply, in writing, **within 7 workdays**, specifying the rights you choose to exercise. The statement must be signed in the presence of your counsel who also will sign it. If you waive your right to a hearing before an administrative discharge board, you may submit written statements in your own behalf. I will send the statements to the discharge authority with the case file to be considered with this recommendation. If you fail to respond, your failure will constitute a waiver of the right to the board hearing.

9. 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 at the Area Defense Counsel's Office.
10. If you request a board and you fail to appear without good cause, your failure to appear constitutes a waiver of your right to be present at the hearing.
11. If you received advanced education assistance, special pay, or bonuses, and have not completed the period of active duty you agreed to serve, you may be subject recoupment.
12. Execute the attached acknowledgement and return it to me immediately.



**Attachments:**

1. Supporting Documents
  - a. AF Form 3070, 19 Nov 01
  - b. LOR, 26 Jun 03
  - c. AF Form 1058, 2 Jul 03
  - d. LOC, 28 Jul 04
  - e. Security Forces Incident Report, 18 Dec 04
  - f. Houston County Superior Court Disposition, 27 Apr 05
  - g. LOC, 2 Mar 05
  - h. LOR, 14 Mar 05 w/atch
2. Airman's Receipt of Notification Memorandum



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS WARNER ROBINS AIR LOGISTICS CENTER (AFMC)  
ROBINS AIR FORCE BASE GEORGIA

11 / 5 October 2005

MEMORANDUM FOR WR-ALC/CC

FROM: WR-ALC/JA

SUBJECT: Legal Review of Administrative Discharge – [REDACTED]

1. I reviewed [REDACTED] administrative discharge and find it legally sufficient. This discharge [REDACTED] conduct which is prejudicial to good order and discipline and a civilian conviction IAW AFI 36-3208, paragraphs 5.50.2 and 5.51, respectively. An administrative discharge board, 78 ABW/CC, and 78 OSS/CC recommend that [REDACTED] be separated with an under other than honorable conditions (UOTHC) discharge. This is consistent with prior practice in these types of cases and is supported by the evidence. I recommend you approve this discharge. The facts, law, and analysis supporting this recommendation are set forth below.

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2. During her current enlistment, the respondent [REDACTED] received two Letters of Reprimand (LOR). She received one LOR, dated 26 June 2005, after voluntarily surrendering to authorities in South Carolina who had issued a warrant for her arrest for writing worthless checks. On 28 July 2004, she received a Letter of Counseling (LOC) for her failure to fully cooperate with law enforcement personnel responding to a domestic violence incident involving others at her residence. On 18 December 2004, [REDACTED] was arrested by the Perry Police Department for shoplifting at Wal-Mart. She received a second LOR on 14 March 2005 for failing to reconcile her indebtedness in a timely manner after a check was returned for insufficient funds. The respondent subsequently received another LOC on 2 March 2005 for a government travel card delinquency. On 27 April 2005 [REDACTED] pled guilty to theft by shoplifting and received five years' probation and was assessed a \$419.50 fine.

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