		AIR FORCE DISCHARGE R	EVIEW BOAR	KD H	IEARIN(3 RECORI) 				
NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)				GRADE			AFSN/SSAN				
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COUNSEL NAME OF COUNSEL AND OR ORGANIZATION YES No X					R ORGANIZATIO						
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ISSUES A92.	03	INDEX NUMBER A67.50			E	XHIBITS SUI	BMITTED TO	THE BOARD	I		
A94.		A67.90	 -	1 ORDER APPOINTING THE BOARD							
			 	_			EW OF DISCHA	ARGE			
			-	3 LETTER OF NOTIFICATION 4 BRIEF OF PERSONNEL FILE							
			<u> </u>	4 BRIEF OF PERSONNEL FILE COUNSEL'S RELEASE TO THE BOARD							
				ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE							
				T	APE RECO	RDING OF PE	RSONAL APPE	ARANCE HE	ARING		
HEARING DATE		CASE NUMBER									
07 Dec 2010		FD-2008-00257									
APPLICANT'S ISSUE	AND THE BOARD'S DEC	I ISIONAL RATIONALE ARE DISCUSSED ON THE ATTA	CHED AIR FORCE DISCF			RD DECISIONAL	RATIONALE.				
Case heard in	Washington, I	D.C.									
	_	sion of the Board and the right to	submit an app	lica	tion to th	ne AFBCM	IR.				
Names and vo	otes will be mad	de available to the applicant at th	ne applicant's re	eque	est.						
+Narrative Re *RE Code	eason										
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TO: SAF/N	⁄/RBR	2. Complex of the control of the	FROM:				PERSONNEL COU	NCIL	economic and and and and		
550 C	STREET WEST, SU OOLPH AFB, TX 781			153	55 COMMAND	CHARGE REVIEV DR, EE WING, 3F MD 20762-7001					
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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2008-00257

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 the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any that would justify a change of discharge.

ISSUE:

Issue 1. The applicant stated he was told his discharge would automatically be upgraded in December 2007. The Board noted the issue was common result of miscommunication, at the time of discharge, when the applicant is briefed that their discharge will automatically be upgraded after six months. While a discharge may be upgraded after six months, the upgrade is by no means automatic. A discharge is upgraded only if the applicant and the Board can establish that an inequity or impropriety took place at the time of discharge. After a thorough review of the record, the Board found no evidence to justify an upgrade of the discharge characterization, reason for the discharge or the reenlistment code.

Issue 2. Applicant contends that he would have continued his last 8-months of service if he had known that his benefits would be compromised. The records indicated the applicant received an Article 15, six Letters of Reprimand, one Records of Individual Counseling and three verbal counselings for misconduct. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior, and his discharge was not within the applicant's control (due to his misconduct). Further, the applicant acknowledged receipt of the discharge notification and waived right to counsel and waived his right to submit matter on his behalf. The Board concluded that the negative aspects of the applicant's service outweighed the positive contributions he made in his Air Force career. The characterization of the discharge received by the applicant was found to be appropriate.

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.)

Form Approved

OMB No. 0704-0004

Expires Aug 31, 2006

The public reporting burden for this collection of information is estimated to everage 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 espect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Services and Communications Directorate (0704-0004). Respondents should be aware that notwithstanding any other provision of law, no person shell 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.

		_	PRIVAC	Y A	CT STATEMENT		`			
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	SUPPORT OF THIS APPLICATION, THE F			UMEN	ITS ARE SUBMITTE	D AS EVID	ENCE: /	Continue In	Item 1	7. If military documents or
me	dical records are relevent to your case, po	ease se	na copies.)							
9 TV	PE OF REVIEW REQUESTED (X one)									·
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14. CONTINUATION OF ITEM 6, ISSUES (If applicable)	· _
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I was lead to believe by Maj be upgraded considering that I gave 72 months that I signed up for During	that service I received numerous
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It was clear that my benefits would b	e compromised. I was told that a
"Reduction in force" was in effect and	I would not be penalized for
early discharge.	
15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable)	
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MAIL COMPLETED APPLICATIONS T	O APPROPRIATE ADDRESS BELOW.
ARMY	NAVY AND MARINE CORPS
	·
Army Review Boards Agency Support Division, St. Louis	Naval Council of Personnel Boards 720 Kennon Street, S.E.
9700 Page Avenue	Room 309 (NDRB) Washington Navy Yard, DC 20374-5023
St. Louis, MO 63132-5200 (See http://arba.army.pentagon.mil)	Washington Navy Faid, DC 20374-5023
AIR FORCE	COAST GUARD
Air Force Review Boards Agency	
SAF/MRBR	U.S. Coast Guard
550-C Street West, Suite 40	U.S. Coast Guard Commandant (G-WPM)

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

(Former A1C) (HGH SRA)

1. MATTER UNDER REVIEW: Appl rec'd a GEN Disch fr USAF, Luke AFB, AZ on 3 May 2007 UP AFPD 36-32 and AFI 36-3208, para 5.50.2 (A Pattern of Misconduct: Conduct Prejudicial to Good Order and Discipline.) Appeals for an Honorable Disch & change to RE Code and Narrative Reason.

2. BACKGROUND:

a. DOB: 30 Apr 1982. Enlmt Age: 19 7/12. Disch Age: 25. Educ: HS DIPL.

AFQT: N/A. A-55, E-50, G-49, M-58. PAFSC: 2A753 – Aircraft Structural Maintenance.

DAS: 15 Jul 02.

b. Prior Sv: None

3. SERVICE UNDER REVIEW:

- a. Enlisted as AB on 18 Dec 2001 for 6 Yrs Svd: 4 Yrs 5 Mos 16 Das, all AMS.
- b. Grade Status: A1C 19 Oct 06 (Article 15)

SRA - 1 Jun 04

A1C - 21 Jun 02

AB - 21 Dec 01

- c. Time Lost: None
- d. Art 15's & Additional:
- (1) LOR, 20 Jun 05 Failed to obey a lawful order by using the Gerber Stenciling Machine for personal items.
- (2) LOR, 13 Jul 05 Failed to obey a lawful order by using the Air gun to blow metal shavings from yourself in violation of safety guidelines.
- (3) RIC, 22 Jul 05 Failure to follow orders by reporting to work 45 minutes late.
- (4) LOR, 25 Jul 05 Failed to obey a lawful order by reporting 15 minutes late for a meeting with the Flight Commander and for incorrect information on the recall roster.
- (5) LOR, 03 Feb 06 –Failed to properly sign out the "AMS Stand-by Keys."
- (6) LOR, 11 Jul 06 Failure to report for mandatory training.

(7) 25 Oct 06, Luke AFB, AZ – Article 92 You, who knew of your duties, at or near Luke AFB, AZ, on or about 14 Aug 06 were derelict in the performance of those duties in that you willfully failed to refrain from using unauthorized tools on an F-16 aircraft, as it was your duty to do.

You, who should have known of your duties, at or near Luke AFB, AZ, on or about 14 Aug 06, were derelict in the performance of those duties in that you negligently failed to remove an exacto knife from the cockpit of an F-16 aircraft prior to leaving your shift, as it was your duty to do.

You, who knew of your duties, at or near Luke AFB, AZ, on or about 8 Sep 06, were derelict in the performance of those duties in that you in that you willfully failed to follow proper F-16 sheet metal maintenance checklist, as it was your duty to do

Reduction to the grade of E-3, with new DOR of 19 Oct 06. 14 Days extra duty. (No appeal) (No mitigation)

- (8) LOR, 16 Apr 07 Failed to go at the time prescribed to your appointed place of duty.
- e. CM: None
- f. Record of Sv: 18 Dec 01 15 Jul 03 Luke AFB 4 (DBHQ) 16 Jul 03 – 15 Jul 04 Luke AFB 4 (Annual) 16 Jul 04 – 15 Jul 05 Luke AFB 4 (Annual)
- g. Awards & Decs: NDSM, AFTR, AFLSA, NCOPMER, AFOUA w/ 10LC, GWOTSM, AFGCM
- h. Stmt of Sv: TMS: (5) Yrs (4) Mos (16) Das TAMS: (5) Yrs (4) Mos (16) Das
- 4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 12 May 2008

ATCH: DD-214

14 Jan 09/ME



DEPARTMENT OF THE AIR FORCE

56TH EQUIPMENT MAINTENANCE SQUADRON LUKE AFB, ARIZONA 85309

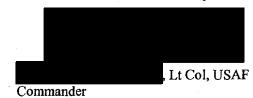
	ATMOD AND UM FOR ALC	DATED.	1	MAY	2007
IV	MEMORANDUM FOR A1C	DATED:			-
F	ROM: 56 EMS/CC	* * .			
S	UBJECT: Notification Memorandum				
o: A W	I am recommending your discharge from the United States Air Force for M f Misconduct, Conduct Prejudicial to Good Order and Discipline. The author FPD 36-32 and AFI 36-3208, paragraph 5.50.2. If my recommendation is a fill be characterized as either honorable or under honorable conditions (generocommending that your service be characterized as under honorable conditions).	rity for this approved, you ral). I am	acti ir s	on is	
2.	My reasons for this action are:				
	a. You, having knowledge of a lawful order issued by Master Sergeant any personal or non-government items on the Gerber Stenciling Machine is an order which it was your duty to obey, did at or near Luke Air Force Bas about 16 Jun 05, fail to obey the same by wrongfully making non-government personal use. For this misconduct, you received a Letter of Reprimand, da (Tab 7A).	n the suppor se, Arizona, nent signs fo	t se on (r	ction,	•
	b. You, having knowledge of a lawful order issued by Master Sergeant with procedural safety regulations regarding safety in the work place, an or your duty to obey, did at or near Luke Air Force Base, Arizona, on or about obey the same by wrongfully proceeding to hook up an air chuck gun to bloff of yourself. For this misconduct, you received a Letter of Reprimand, (Tab 7B).	rder which it it 12 Jul 05, ow metal sha	t wa fail avir	to	
	c. You did, at or near Luke Air Force Base, Arizona, on or about 17 Jul 05 fail to go at the time prescribed to your appointed place of duty, to wit: yo For this misconduct, you received a Record of Individual Counseling, date	ur place of w	vork	ζ.	
	d. You did, at or near Luke Air Force Base, Arizona, on or about 29 Jun 06 fail to go at the time prescribed to your appointed place of duty, to wit: ma For this misconduct, you received a Letter of Reprimand, dated 11 Jul 06 (ındatory traii			
	e. You, having knowledge of a lawful order issued by Master Sergeant duty at 0730 hrs for a meeting with the flight commander, an order which i obey, did at or near Luke Air Force Base, Arizona, on or about 21 Jul 05, for this wrongfully reporting to work at 0745 hrs. For this misconduct, you receive Reprimand, dated 25 Jul 05 (Tab 7E).	ail to obey th	uty ie sa	to ame	

- f. You, who knew of your duties, at or near Luke Air Force Base, Arizona, on or about 1 Feb 06, were derelict in the performance of those duties in that you willfully failed to properly sign out the "ASM Stand-by keys" prior to removing them from the tool room. Furthermore you failed to return the keys at the end of your shift, as it was your duty to do. For this misconduct, you received a Letter of Reprimand, dated 3 Feb 06 (Tab 7F).
- g. You, who knew of your duties, at or near Luke Air Force Base, Arizona on or about 14 Aug 06, were derelict in the performance of those duties in that you willfully failed to refrain from using unauthorized tools on a F-16 aircraft, as it was your duty to do.
- h. You, who should have known of your duties, at or near Luke Air Force Base, Arizona, on or about 14 Aug 06, were derelict in the performance of those duties in that you negligently failed to remove an exacto knife from the cockpit of a F-16 aircraft prior to leaving your shift, as it was your duty to do.
- i. You, who knew of your duties, at or near Luke Air Force Base, Arizona, on or about 8 Sep 06, were derelict in the performance of those duties in that you willfully failed to follow proper F-16 sheet metal maintenance checklist, as it was your duty to do.

For the misconduct in paragraphs 2(g) through 2(i), you received an Article 15, dated 19 Oct 06. Your punishment included reduction to the grade of E-3, 14 days extra duty and a Reprimand. This action created an Unfavorable Information File (UIF) (Tab 7G).

- j. You did, at or near Luke Air Force Base, Arizona, on or about 12 Apr 07, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: your place of work. For this misconduct, you received a Letter of Reprimand, dated 16 Apr 07. This action was included in your UIF (Tab 7H).
- 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 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).
- 4. Contact Captain at 7383 N. Litchfield Rd., Bldg. 1150, Luke AFB, AZ, 85309, ext 6701, to arrange an appointment to assist you with this matter. 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 ________, 3 duty days from the date of this letter, 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. Report to the Force Health, 56th Medical Group, building 1144, immediately to *begin* the medical examination process. Report immediately to Separations, Bldg 1150, Second Floor to establish your outprocessing appointments. **DO NOT FAIL TO MAKE AND MAINTAIN THESE APPOINTMENTS.**
- 8. 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 your unit's orderly room.
- 9. Execute the attached acknowledgment and return it to me immediately.



Attachments:

- 1. Supporting Documents
- 2. Receipt of Notification Memorandum

IDENTIFICATION PORPOSES					INDIN	LOUIS AOID
CERTIFICATE OF RELEA	ASE OR D	ISCHARGE FROM A	CTIVE DUTY			
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AIR FORCE REG AF						
		BIRTH (YYYYMMDD)	6. RESERVE	OBLIGATIO	N TERMINA	TION DATE
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A1C E3 7a. PLACE OF ENTRY INTO ACTIVE DUTY b. I		820430 (YYYYMMDD) N/A F RECORD AT TIME OF ENTRY/City and state, or complete address if			known)	
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MIAMI MEPS FL 33166						
8a, LAST DUTY ASSIGNMENT AND MAJOR COMMAND		b. STATION WHER	E SEPARATE)		
56 Equipment Maintenance Sq (AET)		LUKE AFB	ΑZ			
9. COMMAND TO WHICH TRANSFERRED		20112 1112		10. SGLI (COVERAGE	NONE
NOT APPLICABLE				AMOU	NT: \$400,00	<u> </u>
11. PRIMARY SPECIALTY (List number, title and years and months i	in	12. RECORD OF SE	RVICE		MONTH(s)	DAY(s)
specialty. List additional specialty numbers and titles involving periods of		. DATE ENTERED AD	THIS PERIOD	2001	Dec	18
one or more years.) 2A753, Aircraft Structural Maintenance		b. SEPARATION DATE	THIS PERIOD	2007	Mav	03
5 yrs and 4 mos.	٠,.	c. NET ACTIVE SERVIC	E THIS PERIOD	05	04	16
9 9 9 9 9 9 9 9 9 9		d. YOTAL PRIOR ACTIV	/E SERVICE	00	00	00
		4. TOTAL PRIOR INACT	TIVE SERVICE	00	00	00
		f. FOREIGN SERVICE		00	00	00
1	Ì	g. SEA SERVICE		00	00	00
'		A. EFFECTIVE DATE OF	2006	Öci	19	
13. DECORATIONS. MEDALS. BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) National Defense Service Medal, Air Force (AF) Training Ribbon, AF Longevity Service Award, NCO Professional Military Education Ribbon, AF Outstanding SEE REMARKS 14. MILITARY EDUCATION/Course title, number of weeks, and month at year completed) Basic Military Training, 6 wks, Feb 02; Aircraft Structural Maintenance Apprentice Course, 4 mos, Jun 02; Airman SEE REMARKS						
15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA V b. HIGH SCHOOL GRADUATE OR EQUIVALENT					X YES	X NO
16. DAYS ACCRUED LEAVE 17. MEMBER WAS PROVID PAID 23.0 DENTAL SERVICES AN	DED COMP	LETE DENTAL EXAN MENT WITHIN 90 DA	MINATION AN	D ALL APPI D SEPARAT	ROPRIATE	YES NO
18. REMARKS						
ITEM 13: Unit Award w/ 1 Oak L Service Medal, AF Training Ribb Leadership School, 6 wks, Jun 0 term of service ////////////////////////////////////	oon, A	F Good Cond	uct Med	al. IT	EM 14:	
The Information contained herein is subject to computer matching within the Divertication purposes and to determine eligibility for, and or continued compliance to a MAILING ADDRESS AFTER SEPARATION (Include Zip	ce with, the re		efit program.			1e)
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			, spagaene	MARION DUE ALLE	on € Acres 2	
SPECIAL ADDITIONAL INFO	ORMATIO	V (For use by authorized	agencies only!			
3. TYPE OF SEPARATION		4. CHARACTER OF		e upgrades)		

SPECIAL ADDITIONAL INFORMA	TION (for use by authorized agencies on	tr)
23. TYPE OF SEPARATION DISCHARGE	24 CHARACTER OF SERVICE UNDER HONORABLE	(mistrate appraise) CONDITIONS (GENERAL)
25, SEPARATION AUTHORITY AFI 36-3208	26. SEPARATION CODE JKM	27. REENTRY CODE 2B
24. NARRATIVE REASON FOR SEPARATION		
MISCONDUCT (OTHER)		
29. DATES OF TIME LOST DURING THIS PERIOD (YYYYMMOD)		30. MEMBER REQUESTS COPY 4
NONE		thinis 01,AS