



**UNITED STATES AIR FORCE  
BOARD FOR CORRECTION OF MILITARY RECORDS**

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2025-00152

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

His general (under honorable conditions) discharge be upgraded to honorable.

**APPLICANT'S CONTENTIONS**

He was reprimed against. Due to the disciplinary paperwork that he received during training, he was made to perform duties as a security forces augmentee. While assigned as an augmentee, he was required to submit to a dorm room inspection within 15 minutes. He received no notice or supervisory support, his supervisor was deployed at the time. He was given an Article 15 for the infraction. He was not advised of his right to fight this action. Due to the stress of the situation, he was unable to sleep and reported late the next day. He was then given another Article 15 for failing to go. Both Article 15 actions were gross overreactions to minor infractions. The gravity of the disciplinary actions, as well as the lack of supervision, training, and mentorship resulted in the failure of his military career.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a former Air Force airman (E-2).

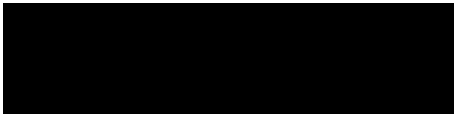
On 15 Aug 07, the applicant's commander recommended the applicant be discharged from the Air Force, under the provisions of AFI 36-3208, *Administrative Separation of Airmen*, paragraph 5.50.2 for a pattern of misconduct-conduct prejudicial to good order and discipline. The specific reasons for the action were:

- a. On 7 Aug 06, a Letter of Counseling (LOC) was issued for failing to report for duty on time on or about 31 Jul 06. It is noted this was his first offense for tardiness and the applicant claimed he was not aware the training schedule changed on a weekly basis; however, it is also noted he was briefed this upon his arrival.

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Controlled by: SAF/MRB  
CUI Categories: [REDACTED]  
Limited Dissemination Control: N/A  
POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)



b. On 21 Nov 06, a Letter of Reprimand (LOR) was issued for willfully providing alcohol to underage military members on or about 23 Oct 06. He was reprimanded for unwanted and criminal behavior by providing alcohol because the two members were charged with driving under the influence (DUI), public intoxication, and underage drinking. He admitted to purchasing the alcohol and the two members in question partaking of the alcohol but he was in no way responsible for their actions which led to incarceration.

c. On 12 Jan 07, a LOC was issued for failing to report for duty on time on or about 11 Jan 07. It is noted the applicant claimed his alarm clock did not work properly. It is further noted that the class was briefed earlier that week on tardiness.

d. On 7 Feb 07, a LOC was issued for failing his dormitory inspection on or about 31 Jan 07. He was provided with corrective recommendations.

e. On 9 Apr 07, a LOR was issued for failing to show for his mandatory dental appointment on or about 5 Mar 07.

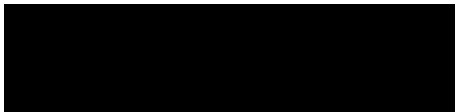
f. On 18 May 07, a LOR was issued for failing his dormitory inspection.

g. On 6 Jun 07, a LOC was issued for his second fitness assessment failure. He was provided with corrective recommendations.

h. On 22 Jun 07, AF Form 3070A, *Record of Nonjudicial Punishment Proceedings (AB thru TSgt)*, indicates the applicant received nonjudicial punishment (NJP), Article 15, for failing his room inspection on or about 11 Jun 07. The applicant acknowledged his rights to counsel, a written presentation, and a personal appearance and chose not to appeal. He received a reduction in grade to airman (E-2) suspended through 21 Dec 07 and 10 days of extra duty.

i. On 18 Jul 07, AF Form 3070A indicates the applicant received nonjudicial punishment (NJP), Article 15 for failing to report for duty on time on or about 19 Jun 07. The applicant acknowledged his rights to counsel, a written presentation, and a personal appearance and chose not to appeal. He received a reduction in grade to airman (E-2) with a new date of rank of 18 Jul 07, and 10 days of extra duty.

On 20 Aug 07, the applicant responded to the discharge recommendation stating he participated in many volunteer opportunities. He admitted to not making the best decisions and accepted responsibility for his actions. He stated the bitterness he felt towards leadership hurt his performance and caused unnecessary trouble. He concluded by asking to be retained or that he be given an honorable discharge so he could use his educational benefits to finish his degree.



On 5 Sep 07, the discharge authority directed the applicant be discharged for a pattern of misconduct-conduct prejudicial to good order and discipline, with a general service characterization. Probation and rehabilitation were considered but not offered.

On 7 Sep 07, the applicant received a general (under honorable conditions) discharge. His narrative reason for separation is "Misconduct" and he was credited with two years of total active service.

On 3 Nov 10, the applicant submitted a request to the Air Force Discharge Review Board (AFDRB) for an upgrade to his discharge.

On 8 May 12, the AFDRB denied the applicant's request and concluded 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.

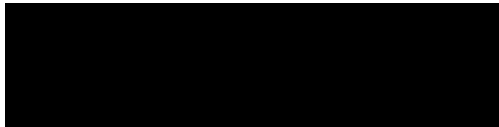
For more information, see the excerpt of the applicant's record at Exhibit B.

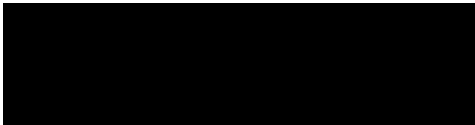
#### **POST-SERVICE INFORMATION**

On 11 Aug 25, the Board staff sent the applicant a request for post-service information and advised the applicant he should provide a Federal Bureau of Investigation (FBI) Identity History Summary Check, which would indicate whether or not he had an arrest record. In the alternative, the applicant could provide proof of employment in which background checks are part of the hiring process (Exhibit C). The applicant replied on 11 Sep 25. Although the applicant replied to the request for post-service information, his response did not include an FBI background check or other criminal history data. The applicant submitted two personal statements and two character reference statements. In his personal statements, he acknowledged he made some poor choices in the company he kept; however, there were multiple instances of senior leadership failing to properly advise him of his rights and to properly mentor him. He concludes by stating his service was marked by his unwavering commitment to meet educational and job-related standards. If he were given proper support, he could have addressed the concerns raised by leadership and continued to serve. In his second personal statement, he outlines his success after being discharged, to include his employment history and successful marriage and family life. He and his wife are staunch supporters of the autistic community as his second child is autistic and they are both heavily involved in their local church outreach programs helping underprivileged children and local neighborhoods. He is currently involved with the children's, technology, altar ministries and helps with multiple church outreach programs. In his character references, colleagues speak to his integrity, professionalism, and strong work ethic.

The applicant's complete response is at Exhibit D.

#### **APPLICABLE AUTHORITY/GUIDANCE**





On 25 Jul 18, the Under Secretary of Defense for Personnel and Readiness issued supplemental guidance, known as the Wilkie Memo, to military corrections boards in determining whether relief is warranted based on equity, injustice, or clemency. These standards authorize the board to grant relief in order to ensure fundamental fairness. Clemency refers to relief specifically granted from a criminal sentence and is a part of the broad authority Boards have to ensure fundamental fairness. This guidance applies to more than clemency from sentencing in a court-martial; it also applies to any other corrections, including changes in a discharge, which may be warranted on equity or relief from injustice grounds. This guidance does not mandate relief but rather provides standards and principles to guide Boards in application of their equitable relief authority. Each case will be assessed on its own merits. The relative weight of each principle and whether the principle supports relief in a particular case, are within the sound discretion of each Board. In determining whether to grant relief on the basis of equity, an injustice, or clemency grounds, the Board should refer to paragraphs 6 and 7 of the Wilkie Memo.

On 11 Aug 25, the Board staff provided the applicant a copy of the clarifying guidance (Exhibit C).

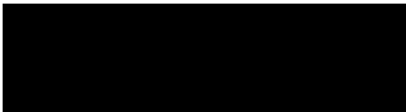
Department of the Air Force Instruction (DAFI) 36-3211, *Military Separations*, describes the authorized service characterizations.

**Honorable.** The quality of the airman's service generally has met Department of the Air Force standards of acceptable conduct and performance of duty or when a member's service is otherwise so meritorious that any other characterization would be inappropriate.

**General (Under Honorable Conditions).** If an airman's service has been honest and faithful, this characterization is warranted when significant negative aspects of the airman's conduct or performance of duty outweigh positive aspects of the member's military record.

## FINDINGS AND CONCLUSION

1. The application was timely filed. Given the requirement for passage of time, all discharge upgrade requests under fundamental fairness or clemency are technically untimely. However, it would be illogical to deny a discharge upgrade application as untimely, since the Board typically looks for over 15 years of good conduct post-service. Therefore, the Board declines to assert the three-year limitation period established by 10 U.S.C. Section 1552(b).
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board finds the discharge was consistent with the substantive requirements of the discharge regulation, it was within the commander's discretion and was not unduly harsh. While the applicant contends he was not advised of his rights in the administration of his NJP, he has provided no evidence to substantiate his contentions. The applicant also contends his two Article 15s were overreactions to minor infractions and were attributed to a lack of supervision, training




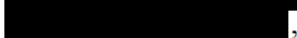
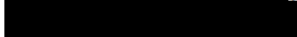
and mentorship. However, the Board notes the applicant's discharge notification includes nine infractions documenting his pattern of misconduct and failure to meet Air Force standards during his two years of service. Based on the evidence, the Board finds the applicant was afforded sufficient opportunity to repair his behavior but failed to do so. The applicant also contends he was the victim of reprisal; however, other than his own uncorroborated contentions, the applicant has provided no evidence to show he was the victim of reprisal. In view of the above, the Board finds the applicant has provided no persuasive evidence to find he received inadequate supervision, training, his due process rights were violated or that he was the victim of reprisal. In the interest of justice, the Board considered the many principles included in the Wilkie Memo to determine whether to grant relief based on an injustice, clemency or fundamental fairness. However, the Board does not find the evidence presented sufficient to warrant upgrading his discharge on this basis. Should the applicant provide additional documentation pertaining to his post-service accomplishments and rehabilitation, such as a criminal history report and letters attesting to his character, rehabilitation and contributions to his community, the Board would be willing to reconsider his request based on fundamental fairness. Therefore, the Board recommends against correcting the applicant's record.

### **RECOMMENDATION**

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

### **CERTIFICATION**

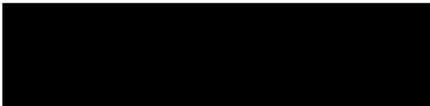
The following quorum of the Board, as defined in DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2025-00152 in Executive Session on 12 Nov 25:

, Panel Chair  
, Panel Member  
, Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, dated 13 Jan 25.
- Exhibit B: Documentary Evidence, including relevant excerpts from official records.
- Exhibit C: Letter, SAF/MRBC, w/atchs (Post-Service Request and Clarifying Guidance), dated 11 Aug 25.
- Exhibit D: Applicant's Response, w/atchs, dated 11 Sep 25.





Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

12/28/2025



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Board Operations Manager, AFBCMR  
Signed by: USAF

**AFBCMR Docket Number BC-2025-00152**

