



The Holloman Court Reporter

A monthly publication of the 49th Wing Office of the Staff Judge Advocate

49th Wing Legal Office

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Hours: M-F 0800-1530

Services:

Walk-In

- Power of Attorney Mon-Fri
- Legal Assistance each Thurs.
1330-1500

By Appointment Only

- Legal Assistance each Tues.
- Will Preparation each Wed.

Reenlisting?

Article 137 briefings for reenlisting Airmen is held every Wednesday at 1400.



UNCLASSIFIED/RELEASED

September 2015

Below are the actions taken at Holloman AFB during the month of September 2015. Names are withheld when appropriate to the forum. See our new feature, the "Tips of the Month."

Courts-Martial:

- On 30 Sep 15, SrA Michael A. Shelton, Jr., 7 ASOS, was convicted by a panel of officer and enlisted members of one charge and specification of wrongful use of cocaine and sentenced to a reduction to the grade of E-1 and 45 days confinement.

Article 15 Actions:

- A Staff Sergeant, 54 AMXS, received an Article 15 for willful dereliction of duty for failing to complete an aircraft inspection. The member received a suspended reduction to the grade of Senior Airman, forfeiture of \$250.00 pay per month for 2 months, and a reprimand.
- An Airman, 9 ATKS, received an Article 15 for attempting to wrongfully possess Percocet, a Schedule II controlled substance. The member received a reduction of the grade of Airman Basic and a reprimand.
- A Senior Airman, 49 SFS, received an Article 15 for falsifying Leaveweb and Recruiter Assistance Program documents. The member received a suspended reduction to the grade of Airman First Class, forfeiture of \$500.00 pay, 36 days extra duty, and a reprimand.
- A Staff Sergeant, 49 OSS, received an Article 15 for negligent dereliction of duty by not reporting weather observations and conditions. The member received a suspended reduction to the grade of Senior Airman, 7 days of extra duty, and a reprimand.
- A Senior Airman, 49 MMSS, received an Article 15 for failing to obey a lawful general regulation by using their GTC for unauthorized purchases. The member received a reduction to the grade of Airman First Class and a reprimand.
- A Staff Sergeant, 49 CES, received an Article 15 for failing to go at the time prescribed to their appointed place of duty. The member received a reduction to the grade of Senior Airman and a reprimand.
- A Staff Sergeant, 49 AMXS, received an Article 15 for failing to obey a lawful general regulation by using their GTC for unauthorized purchases. The member received a suspended reduction to the grade of Senior Airman, suspended forfeitures of \$1,225.00 pay per month for 2 months, 14 days extra duty, and a reprimand.

Administrative Discharges:

- An Airman First Class, 49 SFS, was discharged for Minor Disciplinary Infractions and ADAPT Failure. Member's misconduct consisted of: failure to obey a lawful order, criminal damage to personal property, failure to provide sustenance and medical care to an animal, trespass on personal property while intoxicated, wrongful storage of a firearm in government privatized housing without valid registration, wrongful use of the GTC, failure to report to mandatory dental appointment x2, failure to report to mandatory annual training appointment, and delinquent payments for the Military Star Card x2. Furthermore, the member failed to attend two Alcohol & Drug Abuse Prevention & Treatment program appointments, failed to bring homework for mandatory group appointments, and attempted to purchase alcohol while in ADAPT. Member received a General discharge characterization, resulting in the loss of GI bill benefits.
- An Airman First Class, 49 AMXS, was discharged for Minor Disciplinary Infractions. Member's misconduct consisted of: performing an aircraft inspection after decertification, dereliction in the performance of duties, wrongful use of the GTC x2, failure to keep dorm room in inspection ready order x2, failure to provide proof

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of vehicle registration, failure to report for duty at the appointed time x3, failure to report to duty with a serviceable uniform, and failure to pay just debt. Member received a General discharge characterization, resulting in the loss of GI bill benefits.

Administrative Demotions:

- A Staff Sergeant, 49 MXS, was demoted for failure to fulfill NCO responsibilities after the member failed to inspect an F-16 and its forms after repairs were completed, by falsifying inspection forms, by failing to inspect and oversee all maintenance on his shift, and by engaging in an unprofessional relationship. The member was demoted to the rank of Senior Airman.
- An Airman First Class, 49 MXS, was demoted for failure to maintain or demonstrate the ability and willingness to attain physical fitness standards. The member failed the Fitness Assessment three times in a 24 month period, and was demoted to the rank of Airman.
- A Technical Sergeant, 49 MXS, was demoted for failure to fulfill NCO responsibilities after the member slapped his wife in the face until she bled, barricaded her in the bedroom after she asked to leave, and damaged the bedroom door by kicking it in. The member was demoted to the rank of Staff Sergeant.
- A Senior Airman, 54 AMXS, was demoted for failure to maintain or demonstrate the ability and willingness to attain physical fitness standards. The member failed the Fitness Assessment three times in a 24 month period, and was demoted to the rank of Airman First Class.
- A Staff Sergeant, 49 MXS, was demoted for failure to fulfill NCO responsibilities after the member operated a vehicle while under influence of alcohol. The member was demoted to the rank of Senior Airman.

Tips of the Month:

- 49 WG/CC or 12 AF/CC, as the special and general court-martial convening authorities, selects members for court-martial and administrative board hearing duties. If selected for such duties, it is because the 49 WG/CC or 12 AF/CC determined that you were the best qualified person in accordance with Article 25(d), UCMJ. Upon notification of your court-member duties, that is your primary duty for the dates of the court-martial or board hearing. You may only be excused for good cause such as extraordinary military commitments or acute personal hardship.
- If you are arrested for DWI in New Mexico and refuse to submit to chemical testing as provided for in the New Mexico Implied Consent Act, you can be charged with aggravated DWI. The maximum punishment for your 1st Aggravated DWI is a minimum of 2 days in prison, but up to 90 days in prison; a fine up to \$500, plus court costs; license revocation of a minimum of six months up to one year; DWI school, alcohol screening, ignition interlock for 1 year, and community service.

—————Final Item—————

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