



The Holloman Court Reporter

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

49th Wing Legal Office

1210 Forty Niner Ave, Bldg 811
Holloman AFB, NM 88330
Phone: (575) 572-7217
Email: 49fw.jasuspense@us.af.mil

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

November - December 2015

Below are the actions taken at Holloman AFB during the months of November and December 2015.

Names are withheld when appropriate to the forum.

Courts-Martial:

- A Staff Sergeant, 7 ASOS, was court-martialed for wrongful use of cocaine, in violation of Article 112a, UCMJ. The member elected to be tried by a panel, and the panel members found him not guilty.

Article 15 Actions:

- A Senior Airman, 49 MMS, received an Article 15 for stealing a watch. The member received a reduction to the grade of Airman First Class, a suspended reduction to Airman, and a reprimand.
- An Airman First Class, 49 LRS, received an Article 15 for failing to go to his appointed place of duty and for forgery. The member received a suspended reduction to the grade of Airman, forfeiture of \$500.00 pay, 45 days extra duty, and a reprimand.
- A Staff Sergeant, 49 OSS, received an Article 15 for being incapacitated for the proper performance of his duties due to previous overindulgence in alcohol. The member received 45 days extra duty and a reprimand.
- A Technical Sergeant, 49 MMS, received an Article 15 for assaulting a Security Forces member who was acting in his official capacity and for being drunk and disorderly. The member received a suspended reduction to the grade of Staff Sergeant and a reprimand.
- A Senior Airman, 7 ASOS, received an Article 15 for wrongfully using Methylendioxy-Amphetamine (MDA). The member received a reduction to the grade of Airman Basic, 15 days extra duty, and a reprimand. The member was subsequently discharged from the Air Force for drug use (see below).
- An Airman First Class, 7 ASOS, received an Article 15 for wrongfully using MDA. The member received a reduction to the grade of Airman Basic, 15 days extra duty, and a reprimand. The member was subsequently discharged from the Air Force for drug use (see below).
- A Staff Sergeant, 49 AMXS, received an Article 15 for unlawfully grabbing and striking an Airman First Class on the face and body. The member received a reduction to the grade of Senior Airman and a reprimand.
- An Airman First Class, 49 MMS, received an Article 15 for being drunk and disorderly. The member received a restriction to the limits of Holloman Air Force Base, New Mexico for 30 days and a reprimand.
- A Staff Sergeant, 54 FG, received an Article 15 for wrongfully using MDA and d-Amphetamine. The member received a reduction to the grade of Senior Airman, forfeiture of \$548.00 pay, and a reprimand.
- A Senior Airman, 49 MMS, received an Article 15 for operating a vehicle while drunk and for being drunk on duty. The member received a reduction to the grade of Airman First Class and a reprimand.
- A Senior Airman, 54 AMXS, received an Article 15 for signing a false official statement. The member received a reduction to the rank of Airman First Class, 14 days extra duty, and a reprimand.
- A Senior Airman, 49 AMDS, received an Article 15 for wrongfully appropriating a phone and then wrongfully and knowingly viewing nude images stored on the phone. The member received a reduction to the grade of Airman First Class, a suspended reduction to Airman, and a reprimand.
- A Senior Airman, 49 SFS, received an Article 15 for wrongfully using marijuana. The member received a reduction to the grade of Airman Basic and a reprimand.

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Administrative Discharges:

- A Staff Sergeant, 49 MXS, was discharged for Conditions that Interfere with Military Service-Mental Disorder. Member received an Honorable discharge.
- A Captain, 49 AMDS, was discharged for Failure to Meet Minimum Fitness Standards. The member failed four fitness assessments within a 24-month period. Member received an Honorable discharge.
- An Airman, 49 MXG, was discharged for Failure to Meet Minimum Fitness Standards. The member failed four fitness assessments within a 24 month period. Member received an Honorable discharge.
- A Senior Airman, 54 MXS, was discharged for Minor Disciplinary Infractions and Unsatisfactory Performance (Irresponsibility in the management of personal finances). Member's misconduct consisted of: failure to go x4, failure to pay just debt x5, and failure to register a vehicle. Member received a General discharge, resulting in the loss of GI Bill benefits.
- An Airman Basic, 7 ASOS, was discharged for Drug Abuse. The member's misconduct consisted of the wrongful use of MDA, for which he received an Article 15. Member received a General discharge, resulting in the loss of GI Bill benefits.
- An Airman Basic, 7 ASOS, was discharged for Drug Abuse. The member's misconduct consisted of the wrongful use of MDA, for which he received an Article 15. Member received a General discharge, resulting in the loss of GI Bill benefits.
- An Airman First Class, 54 AMXS, was discharged for Minor Disciplinary Infractions. The member's misconduct consisted of: failure to store classified material appropriately, failure to obey a direct order, failure to pay a just debt, failure to maintain a clean dorm, failure to follow proper safety procedures, failure to obey traffic laws, failure to report for duty at prescribed time, failure to provide proof of vehicle registration, failure to adhere to Dress and Appearance standards, and failure to obey a direct order. Member received a General discharge, resulting in the loss of GI Bill benefits.
- An Airman Basic, 7 ASOS, was discharged for Drug Abuse. Previously, the member was found guilty at a Special Court-Martial of one charge and specification of wrongfully using cocaine in violation of Article 112a of the UCMJ. Subsequently, the member was administratively discharged. Member received a General discharge, resulting in the loss of GI Bill benefits.
- An Airman, 16 TRS, was discharged for Minor Disciplinary Infractions. The member's misconduct consisted of: disobeying a direct order x2, failure to go, failure to follow established guidelines/notifications, failure to adhere to Dress and Appearance standards, and destroying government property. The member received a General discharge, resulting in the loss of GI Bill benefits.
- A Senior Airman, 49 MMSS, was discharged for Sexual Assault. The member touched the genitals of another Airman over the clothing. The member received a General discharge, resulting in the loss of GI Bill benefits.

Administrative Demotions:

- A Technical Sergeant, 49 MXS, was demoted for failure to fulfill NCO responsibilities after the member was disorderly, under the influence of alcohol, and damaged private property. The member was demoted to the rank of Staff Sergeant.

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Tip of the Month:

- IAW AFI 51-202, *Nonjudicial Punishment*, Table 3.1, a commander, Lieutenant Colonel or above, imposing Article 15 punishment on a member Senior Airman or below has the authority to impose a reduction in grade all the way to Airman Basic. However, on a Staff Sergeant, Technical Sergeant, or Master Sergeant, the same commander may only impose a one grade reduction.

—————Final Item—————

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