



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

TJR
Docket No: 9239-14
19 June 2015

Dear

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 June 2015. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 31 July 1957. About six months later, on 28 January 1958, you were admitted to an hospital after complaining of homesickness and experiencing a passive-dependency reaction. You reported a history of depression, maladjustment, and inability to performance tasks. You also expressed experiencing motion sickness and fears of suicidal ideation. Subsequently, you were diagnosed with an acute situational maladjustment disorder that existed prior to your enlistment, found to be unsuitable for further naval service, and recommended for an expeditious administrative discharge.

You were notified of pending administrative separation action by reason of unsuitability due to the diagnosed situational maladjustment disorder, and it appears that you did not object to the discharge. As such, your commanding officer recommended discharge by reason of unsuitability. The discharge authority

approved this recommendation and directed an honorable discharge by reason of unsuitability as evidenced by the diagnosed acute situational maladjustment, and on 7 March 1958, you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your desire to change your narrative reason for separation and assertions of post-traumatic stress disorder (PTSD) and being sexually assaulted. Nevertheless, the Board concluded these factors were not sufficient to warrant relief in your case because of your diagnosed acute situational maladjustment disorder that existed prior to your enlistment. Further, the Board was unable to consider your assertion of sexual assault due to a lack of material evidence. Finally, regarding your assertion of PTSD, the Board noted that the severity of your misconduct outweighed the mitigation offered by your unsubstantiated claim for PTSD. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board within one year from the date of the Board's decision. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

5 U.S.C. 552(b) (6)

ROBERT J. O'NEILL
Executive Director