



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

JDR  
Docket No: 4543-14  
29 April 2015

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

Dear 5 U.S.C.

This is in reference to your latest reconsideration request dated 16 October 2014. You previously petitioned the Board and were advised in our letter of 22 September 1995 that your application had been denied.

Because your application was submitted with new evidence not previously considered, the Board found it in the interest of justice to review your application. Your current request has been carefully examined by a three-member panel of the Board for Correction of Naval Records, sitting in executive session on 24 April 2015. The names and votes of the members of the panel will be furnished upon request. Documentary material considered by the Board consisted of your application and any material submitted in support of your application.

The Board also considered your assertion of post-traumatic stress disorder (PTSD) in light of the Secretary of Defense's September 3, 2014, guidance to Boards for Correction of Military records regarding discharge upgrade requests by veterans claiming PTSD. The Board liberally considered whether your PTSD was a causative factor in the misconduct that resulted in your separation. After careful and conscientious consideration of the entire record, the Board determined that the documentation you provided, even though not previously considered by the Board, was insufficient to support a conclusion that a causal relationship with the PTSD symptoms and misconduct existed. Specifically, the Board concluded that your misconduct was not caused by your PTSD and further determined that, even if there was a nexus between the PTSD and the misconduct, the severity of the misconduct would substantially outweigh any mitigation created by your PTSD.

Accordingly, your application has again been denied. In this

regard, the Board found that your assertion is insufficient to warrant further consideration in your case. In the absence of sufficiently material evidence for reconsideration, the decision of the Board is final, and your only recourse would be to initiate action, at no cost to the Board, to a court of appropriate jurisdiction.

Sincerely,

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

ROBERT J. O'NEILL  
Executive Director