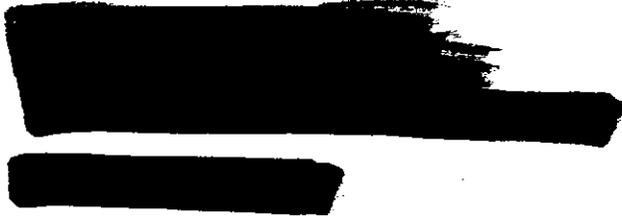




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

BC
Docket No: 00431-14
15 May 2014



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

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 May 2014. 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 Marine Corps on 23 June 2008. On 4 October 2008, you were given a mental health evaluation due to suicidal ideation. You disclosed that you received counseling in October 2007 for depressive symptoms, anxiety and suicidal ideation and were diagnosed with depression which you did not disclose on your in-processing paperwork. You were diagnosed with major depression with anxiety, a dysthymic disorder, and a generalized anxiety disorder which existed prior to enlistment and recommended for administrative separation. On 17 October 2008, you signed and acknowledged that you were being administratively separated due to fraudulent entry based on your failure to disclose vital mental health information. On 5 November 2008, you were discharged with an uncharacterized entry level separation by reason of fraudulent enlistment and assigned a reentry code of RE-4 based on your failure to disclose a disqualifying history of mental health issues.

The Board, in its review of your application, considered all potentially mitigating factors present in your case. Nevertheless, the Board found those factors insufficient to warrant changing the characterization of service or the reentry code given your fraudulent enlistment and diagnosed mental health conditions. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

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. 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,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán".

ROBERT D. ZSALMAN
Acting Executive Director