



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

[REDACTED]
Docket No: 7609-16

SEP 24 2017

[REDACTED]
Dear [REDACTED]

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

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 12 June 2017. 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.

You began a period of active duty Navy on 30 July 1998. In June 1999, while serving onboard the [REDACTED] you were seen by Fleet Mental Health Unit, Branch Clinic, [REDACTED] and diagnosed with Personality Disorder. Your Commanding Officer, initiated administrative separation proceedings against you on the basis of personality disorder. You were discharged from the Navy on 2 July 1999, with a general characterization of service.

The Board considered your request for an upgrade to your general discharge characterization. When making its determination, the Board noted that you make your request on the basis of the time that has lapsed since your discharge in 1999. You state it has been more than 15 years since your separation from active duty and that your discharge was for medical reasons.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material or injustice. The Board carefully weighed your request, including your statement that you would like to be upgraded so

that you may receive all of the benefits awarded for an honorable discharge. First, the Board noted that the passage of time alone is not a sufficient basis to establish an error or injustice, and that the 15 years since your discharge did not merit an upgrade. Second, the Board noted that your separation from active duty was predicated on a psychiatric evaluation that diagnosed you with Personality Disorder. The Board reviewed the 2 July 1999 Notice of Administrative Separation documents and found that you were properly separated on the basis of Personality Disorder under notice procedures. The Board noted you had a medical diagnosis prior to the discharge proceedings, and the diagnosis supported the separation. Furthermore, the Board considered MILPERSMAN 1910-122 and noted that Commanding Officer, [REDACTED] (LHD)'s recommended that you receive a general characterization of service. Based on the regulatory guidance for separations due to Personality Disorder, and your Commanding Officer's recommendation of a general characterization, the Board concluded that your general characterization of service did not warrant an upgrade. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,

[REDACTED]

Executive Director