



On 20 February 1980, you were notified that you were being recommended for administrative discharge from the Navy. You were advised of, and waived, your procedural rights, including your right to consult with and be represented by military counsel, and your right to present your case to an administrative discharge board (ADB). Your commanding officer (CO) then forwarded your administrative separation package to the separation authority (SA) recommending administrative discharge from the Navy with an other than honorable (OTH) characterization of service. The SA approved the CO's recommendation for administrative discharge, and directed that your characterization of service be type warranted by your service record. The SA also direct your narrative reason for separation as convenience of the government. On 28 March 1980, you were discharged with a general (under honorable conditions) characterization of service.

As part of the Board's review, a qualified mental health professional reviewed your request and provided the Board with an AO on 11 August 2021. The AO noted that your in-service records did not contain evidence of a diagnosis of a mental health condition or psychological/behavioral changes, which may have indicated a mental health condition. Although you provided evidence of post discharge diagnosis of PTSD, you did not provide any description of your purported trauma, symptoms that would meet the criteria for PTSD, how those symptoms interfered with your ability to function, or were related to your in-service misconduct. The AO concluded by opining that the preponderance of objective evidence failed to establish you suffered from PTSD at the time of your military service, or your in-service misconduct could be attributed to PTSD or other mental health conditions.

The Board carefully reviewed your application, weighed all potentially mitigating factors, and considered your contention that your discharge should be upgraded due to the fact that you suffered from PTSD while in the service. After careful consideration of the AO, your submission of supporting documentation, and applying liberal consideration, the Board did not find an error or injustice that warrants upgrading your characterization of service or granting clemency in the form of an upgraded characterization of service.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to your contentions' as previously discussed and your desire to upgrade your discharge character of service. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined your misconduct as evidenced by five NJPs, outweighed these mitigating factors. Accordingly, given the totality of the circumstances, the Board determined your request does not merit relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

10/22/2021

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Executive Director

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