



Wilkie Memo. You contend in your petition that you divulged information concerning certain problems you were having under the assumption of confidentiality, but it ultimately led to your discharge from the Marine Corps. You also stated that you loved the service and your country and that you are still disappointed that everything did not pan out as you had originally thought that it would. You also stated that you desire to have your separation looked at favorably with an honorable discharge and change of reentry code due to the fact that you were very close to meeting the 180 days of active service required before your condition led to your subsequent discharge. Finally, you indicated on your DD Form 149, by way of checking an indicated block that your petition related to “other mental health” concerns.

In light of the fact that your discharge related to a mental health diagnosis, the Board requested, and reviewed, the AO. The AO reviewed your service record as well as your petition and the matters that you submitted. According to the AO:

Petitioner requested upgrade to his re-enlistment code and discharge characterization as, ‘I was so close to meeting the 180 days of active service before my condition ultimately led to my subsequent discharge.’ Though he indicated on his application that ‘Other Mental Health’ was a condition related to his request, he did not describe any traumatic events, psychological symptoms and/or behavioral changes that would support a diagnosis of a mental health condition, occupational impairment due to his purported mental health condition, or a nexus between his failure to progress in his training and a mental health condition. He did not provide any in-service or post-discharge clinical evidence contesting his in-service diagnosis of an Adjustment Disorder, or the existence of other diagnosed mental health conditions.

Petitioner’s in-service records revealed an enlistment physical examination in which the Petitioner described himself in “good health” and that he did not have any history of mental health symptoms or conditions or substance abuse. Petitioner underwent a psychological evaluation on 1/23/18 and a follow-up clinic visit on 1/23/18, at the █ Branch Medical Clinic due to failure to adequately progress in his training and was diagnosed with Adjustment Disorder with depressed and anxious mood, due to his failure to adapt to the military environment. Petitioner was recommended for administrative separation. The remainder of Petitioner’s in-service records did not contain any additional diagnosed mental health conditions, or symptoms or behaviors indicative of additional mental health conditions. He did not provide any in-service or post-discharge clinical records in support of his petition for review.

The AO concluded, “based on the available evidence, it is my considered medical opinion the preponderance of objective evidence indicated Petitioner’s in-service diagnosis of Adjustment Disorder due to failure to adapt to the military environment explained his inability to meet training requirements, and that the command’s decision o administratively separate Petitioner as an Entry Level Separation with an Uncharacterized discharge and an RE-4 code appeared appropriate.”

Based upon its review, the Board concurred with the finding of the AO, and did not find an error or injustice in your naval records. The Board determined that the potentially mitigating factors that you raised, namely that you divulged confidential information during your psychological evaluation, your desire to upgrade your discharge, and that you were close to meeting 180 days in service, were insufficient to warrant relief. The Board also found instructive the AO's finding that you did not provide any in-service or post-service clinical records to support any of your contentions. Ultimately, the Board did not find any irregularities in your medical screening and discharge, and determined that your discharge appears to have been properly conducted and characterized. Accordingly, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon the 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,

12/13/2021

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Executive Director  
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