

discharged from the Navy with a General (under honorable conditions) characterization of service. Your original service record was incomplete and did not contain any documentation pertaining to your separation from the Navy. Absent such evidence, the Board relied upon the presumption of regularity and presumed that the officials acted in accordance with governing law/policy and in good faith.

A qualified mental health professional reviewed your request for correction to your record and provided the Board with an AO regarding your assertion that you were suffering from Post-Traumatic Stress Disorder (PTSD) during your service. The AO noted that based on the current available evidence, there is post-service evidence that you incurred PTSD during your military service, but there is insufficient evidence that your misconduct should be attributed to a mental health condition.

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 statement that you incurred PTSD during your military service, and that the Navy never attempted to evaluate you for a mental illness or PTSD. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your three NJPs, SCM conviction, and the fact that you were counseled and warned on more than one occasion of the consequences of further misconduct outweighed these mitigating factors. Additionally, the Board concurred with the AO that based on the current available evidence, there is post-service evidence that you incurred PTSD during your military service, but there is insufficient evidence that your misconduct should be attributed to a mental health condition. Accordingly, given the totality of the circumstances, the Board determined that 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,

12/20/2021

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Executive Director

Signed by: █