



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

█  
Docket No: 6257-21  
Ref: Signature Date



Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

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, sitting in executive session, considered your application on 15 October 2021. The names and votes of the panel members 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 the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the Navy and began a period of active service on 28 October 2010. On 24 November 2010, you underwent a medical evaluation and were diagnosed with major depressive disorder, post-traumatic stress disorder (PTSD) existing prior to service (EPTS), and Borderline Personality Disorder existing prior to service (EPTS). You were recommended for entry level separation and recommended to participate in support services while awaiting your separation. On 30 November 2010, you were notified of the initiation of administrative separation proceedings by reason of defective enlistment and inductions-erroneous enlistment as evidence by physical or mental condition that existed prior to entry, at which point you waived your right to consult with counsel. On 2 December 2010, your commanding officer recommended your separation. Consequently, on 7 December 2010 you were separated with an uncharacterized characterization of service, and you were assigned an RE-4 reentry code.

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 desire change your reenlistment code from a RE-4 to an RE-1. You contend that while on active duty you shared emotional problems you were experiencing due to a painful breakup, and your superiors felt you were not suited to serve in the military. You contend that since then, you have received counseling and you want to be able to serve your country. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. The Board noted, outside of your statements, that you failed to provide sufficient evidence to support your contentions. The Board relies on a presumption of regularity to support the official actions of public officials and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. The Board found no error or injustice in your record, and determined based on the record, you were issued the appropriate reentry code. 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,

11/2/2021

[REDACTED]

Executive Director

Signed by: [REDACTED]