

unsuitability with a general (under honorable conditions) characterization of service. On 24 July 1981, you were so discharged.

As part of the Board's review, a qualified mental health professional reviewed your request and provided the Board with an AO on 6 December 2021. The AO noted that in-service, you were diagnosed with a personality disorder, indicating unsuitability for military service. You have not provided no post-service documentation of a mental health diagnosis, although the VA has determined service-connected disability. Unfortunately, there is insufficient information regarding your purported mental health condition to establish a nexus with your misconduct. Additional records are required to render an alternate opinion. The AO concluded by opining that there is insufficient evidence that you incurred an unfitting mental health condition during military service, and there is insufficient evidence that your misconduct could be attributed to an unfitting mental health condition

The Board carefully reviewed your application, weighed all potentially mitigating factors, and considered your contention that your depression was misdiagnosed as not able to adapt to military service. Unfortunately, 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.

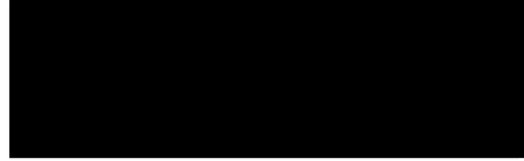
The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to your contention as previously discussed and your desire to upgrade your discharge character of service. For purposes of clemency consideration, the Board noted your submission of the Department of Veterans Affairs (VA) decision letter; however, you did not provide a statement or supporting documentation describing post-service accomplishments, or advocacy letters. Based upon this review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined your misconduct as evidenced by your NJP and your diagnosed medical condition, 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, _____

2/8/2022



Executive Director

