



Corporal/E-4. On 29 December 1991, you were discharged with an Honorable characterization of service at the completion of your required active service.

Your request was fully and carefully considered by the Board in light of the Secretary of Defense's Memorandum, "Supplemental Guidance to Military Boards for Correction of Military/Naval Records Considering Discharge Upgrade Requested by Veterans Claiming Post Traumatic Stress Disorder" of 3 September 2014 and the Principal Deputy Under Secretary of Defense's Memorandum, "Consideration of Discharge Upgrade Requests Pursuant to Supplemental Guidance to Military Boards for Correction of Military/Naval Records by Veterans Claiming PTSD or TBI" of 24 February 2016.

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 PTSD and bipolar disorder, which were not considered by your command. The AO concluded that there is no in-service record that you were diagnosed with a mental health condition, and it would be difficult to understand how adultery would be a symptom of PTSD. The AO further concluded that although there is post-service evidence that you incurred PTSD during military service, there is insufficient evidence that your misconduct could be attributed to PTSD symptoms.

The Board carefully reviewed your application and 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 above, your PTSD diagnosis, your character of service, and your overall service record. However, based upon this review, the Board concurred with the AO and concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your Commander had the authority to impose NJP based on the facts at the time, that the reduction in rank was appropriately awarded, and the decision to impose NJP was not unjust or materially in error. 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,

3/11/2022

Executive Director