



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

█  
Docket No: 1641-22  
Ref: Signature Date

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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 23 March 2022. 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).

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You enlisted in the Navy and began a period of active service on 4 February 2021. On 12 March 2021, you underwent a medical evaluation, which noted in part, you reported problems due to conflicts with shipmates. You were referred due to problems with increased anger and thoughts of hitting people. The evaluation noted you were disrespectful to superiors, and experienced mood regulation problems, inability to adapt to training, and problems with military bearing. As a result you were recommended for separation for a condition not a disability based on diagnosis of adjustment disorder. On 25 March 2021, you were counseled regarding your diagnosis of adjustment disorder and notified of the initiation of administrative separation by reason of

convenience of the government. At which point, you waived your right to consult with counsel. You were notified 49 days from the date you entered onto active duty. On 26 March 2021, the discharge authority approved and directed your discharge. On 2 April 2021, you were discharged with an uncharacterized character of service by reason of a condition not a disability and issued 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 to adjust your reentry code to RE-1 to allow you to reenlist in the military. You contend you no longer have “the diagnosis” anymore. The Board noted you failed to provide sufficient evidence, such as medical documentation, which reflect you no longer suffer from adjustment disorder. Further, the Board considered that your adjustment disorder was based on your adverse reaction to the military environment and likely is the reason you are no longer symptomatic. As a result, the Board found no error or injustice in your record, and determined based on the record, you were issued the appropriate reentry code based on the adjustment disorder diagnosis. 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,

4/6/2022

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Executive Director  
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