



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

██████████
Docket No: 4445-22

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF ██████████
██████████

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) Case summary
(3) Naval record (excerpts)

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting adjustment to the reentry code listed on his Certificate of Release or Discharge from Active Duty (DD Form 214) from RE-4 to RE-1. Enclosures (1) through (3) apply.

2. The Board, consisting of ██████████, reviewed Petitioner's allegations of error and injustice on 6 July 2022, and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of his naval service records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 7 March 2022.

d. On 31 March 2022, Petitioner underwent a medical evaluation and was diagnosed with an unspecified depressive disorder, with a personal history of self-harm, and suicidal ideations.

e. On 14 April 2022, Petitioner was 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 his entry, at which point, Petitioner waived his right to consult with counsel. On 15 April 2022, the discharge authority approved Petitioner separation with an uncharacterized character of service by reason of erroneous entry. On 26 April 2022, Petitioner was discharged and issued a RE-4 reentry code.

f. Petitioner contends he was diagnosed with COVID 19 and he injured his knee upon his entry into the Navy. Petitioner contends he was told he would be discharge for his injury and he was not given any opportunity in the Navy. Petitioner requests change to his reentry code in order to reenlist in the Navy. He provided a letter of a psychiatrist dated 10 May 2022, who believes Petitioner is “capable of withstanding the rigors both form mental and physical point of view of such training.” Petitioner also provided a letter dated 5 September 2022, from an orthopedic physician who states Petitioner is “...FIT to day any physical activity.” Finally, Petitioner provided copies of his high school awards/accolades, and college acceptance letters as a matter of clemency in support of his request to adjust his character of service to RE-1.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board determined the Petitioner’s request warrants partial relief. The Board believed Petitioner’s separation was initiated due to his mental health condition, and the reentry code he was issued was appropriate based on the diagnosis he received prior to his separation. Despite this finding, the Board concluded Petitioner provided sufficient supporting evidence that reflects he no longer suffers from the mental health conditions which initiated his administrative separation. As a result, the Board believes Petitioner should be assigned a waivable reentry code that would allow reentry upon receipt of a medical waiver. Based on the foregoing, the Board determined a change to Petitioner’s reentry code from “RE-4” to “RE-3E” is in the interests of justice.

In view of the above, the Board directs the following corrective action.

RECOMMENDATION:

Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215), to indicate he has a “RE-3E” reenlistment code.

That a copy of this report of proceedings be filed in Petitioner’s naval record.

4. It is certified that a quorum was present at the Board’s review and deliberations, and that the foregoing is a true and complete record of the Board’s proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing

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[REDACTED]

corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

7/26/2022

[REDACTED]

Executive Director

[REDACTED]