



After waiving your rights, your commanding officer (CO) forwarded your package to the separation authority (SA) recommending your discharge by reason of condition not a disability with an uncharacterized characterization of service and a RE-4 reenlistment code. The SA approved the CO's recommendation and, on 23 January 2020, you were so discharged.

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 change your RE-4 reenlistment code and contentions that since discharge, you received the proper help for your Adjustment Disorder and would like to reenlist in the Navy. For purposes of clemency consideration, the Board noted you did not provide supporting documentation describing post-service accomplishments or advocacy letters.

As part of the Board's review, a qualified mental health professional reviewed your request and provided the Board with an AO on 10 August 2022. The AO stated in pertinent part:

Petitioner was appropriately referred for psychological evaluation during his enlistment and properly evaluated. His diagnosis were based on observed behaviors and performance during his period of service, the information he chose to disclose, and the psychological evaluation performed by the mental health clinician, as documented in his service records. Though he claims that he no longer experiences a mental health condition, his contention runs counter to evidence contemporary to his military service. He has provided no medical evidence to support his claims. Additionally, stressors in military life are different from civilian life; consequently, it would not be surprising for an Adjustment disorder to improve after separation from service and the restrictive and demanding military environment. In my clinical opinion, his narrative reason for discharge and uncharacterized service appear appropriate, given his mental health diagnosis based on the clinical history provided to the mental health clinician.

The AO concluded, "it is my considered clinical opinion there is insufficient evidence of an error in diagnosis that may be attributed to military service. There is insufficient evidence of a significant change in mental health diagnosis since military service."

Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that there is insufficient evidence to support your request to change your reenlistment code. In making this finding, the Board relied on the AO which determined that there is insufficient evidence of a significant change in your mental health diagnosis since military service. Further, as pointed out in the AO, stressors in military life are different from civilian life and it would not be surprising for your condition to improve after separation from the restrictive and demanding military environment. As a result, the Board was not convince you are suitable for reenlistment in the military. While the Board appreciates your desire to serve your country through military service, the Board did not find evidence of an error or injustice that warrants changing your reenlistment code or granting clemency in the form of changing your reenlistment code to one that would allow you to reenlist. 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,

10/12/2022

