



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

█  
Docket No. 5945-22  
Ref: Signature Date

█  
█  
█  
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 9 January 2023. The names and votes of the members of the panel 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 this 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. The Board also considered an Advisory Opinion (AO) from a qualified medical professional dated 19 October 2022. The AO noted that there was in-service evidence of depressive symptoms, which could have been early manifestations of Schizoaffective Disorder and that there was evidence that the circumstances of your separation could be attributed to a mental health condition.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

A review of your record shows that you joined active duty Navy service on 6 June 1989. In your Performance Remarks it states that you were counseled on 14 and 15 June 1989 to pay attention to detail; throughout June and July of 1989 you received additional counseling. On 4 August 1989, you were administratively separated for being non-adaptable to the military environment

and discharged. For your 1-month and 29 days of service you received an Entry-Level Separation<sup>1</sup> with a reenlistment code of RE-4.

In your petition, you contend that you suffered from undiagnosed mental health conditions during military service that prevented you from fulfilling your contract with the Navy, specifically, you started hearing voices and having suicidal thoughts. You are requesting an honorable discharge vice entry-level separation in order to receive disability benefits. You included a letter from your provider at [REDACTED], indicating that you had been treated there since 2014 for Schizoaffective Disorder and Generalized Anxiety Disorder. You also included notes from a number of hospitals in [REDACTED] documenting that you had suicide attempts via medication overdose and inpatient hospitalization due to mental illness from 2010 until 2022.

The Board carefully reviewed your petition and the material that you provided in support of your petition and disagreed with your rationale for relief. In reaching its decision, the Board noted that the Naval Military Personnel Manual (MILPERSMAN) Article 3630200, authorized separation of a member during the first 180 days of service when the member has been found unqualified for further service and Article 3610300 specifies that the separation will be uncharacterized and described as Entry-Level Separation. Article 3610300 further clarifies that for a separation in the first 180 days of active duty to be deemed as honorable there would have to be evidence of unusual circumstances involving personal conduct and performance of naval duty and the Secretary of the Navy would have to approve the characterization on a case-by-case basis.

The Board noted that you served on active duty for a total of 60 days and there was no evidence in your record demonstrating any exceptional circumstance to warrant an honorable discharge. Consequently, the Board determined that your administrative discharge with an Entry-Level Separation was valid and your Certificate of Release or Discharge from Active Duty (DD Form 214) is administratively correct.

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,

2/3/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]

---

<sup>1</sup> Entry level separations, or uncharacterized discharge, are given to members who separate prior to completing 180 days of military service, or when discharge action was initiated prior to 180 days of service. This type of discharge does not attempt to characterize service as good or bad.