



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, relied on the presumption of regularity in your case and determined that insufficient evidence exists to find that your erroneous enlistment discharge was issued in error. The fact the VA determined a disability condition was service connected did not persuade the Board that your condition was a qualifying disability condition under the military disability evaluation system and merited a disability discharge. The Board noted your VA documentation did not provide any basis for their finding or evidence that substantially contradicts the finding by the Navy that your condition existed prior to your entry. Finally, absent a material error or injustice, the Board declined to summarily change a discharge solely for the purpose of facilitating veterans' benefits, or enhancing educational or employment opportunities. As a result, the Board determined your assigned narrative reason for separation remains appropriate. 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,

2/13/2024

