

IN THE CASE OF: ██████████

BOARD DATE: 14 August 2025

DOCKET NUMBER: AR20240011143

APPLICANT REQUESTS: Reconsideration of her request for upgrade of her uncharacterized discharge.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- Self-authored letter
- Veterans Affairs (VA) letter, dated 18 December 1998, found her service was considered to be honorable for VA purposes
- VA summary of benefits letter that certifies she is receiving service-connected disability compensation from the VA, with a combined evaluation of 40%

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20230012978 on 24 May 2024.

2. In a new argument, the applicant states the military is lying; she was injured, and it was as simple as that. She already proved her service-connected injuries. She explains in her letter which is available for the Board's review in the supporting documents:

- She joined the military to follow in her grandfathers' and father's shoes
- Her battle buddy stole; not her
- Her drill sergeant wanted her out the Army; he made fun of her
- She performed exemplary prior to her injury
- She wanted to make the Army a career
- She didn't falsify any statements
- The Army caused post-traumatic stress disorder (PTSD) issues
- She was sent home against her will
- She was denied a discharge physical

3. A review of the applicant's service records reflect the following:

a. She enlisted in the Regular Army, on 3 March 1998, she was not awarded a military occupational specialty.

b. On 30 April 1998, she accepted non-judicial punishment under Article 15 of the Uniform Code of Military Justice, for stealing a pack of cigarettes, on or about 24 April 1998. Her punishment included forfeiture of \$199.00, and 14 days extra duty and restriction.

c. She received formal counseling on 1 May 1998 for falsifying a sworn statement.

d. She underwent a mental status evaluation on 5 May 1998. The psychologist noted:

- she was experiencing acute adjustment problems secondary to entering the military and due to longstanding personality and coping difficulties
- her current difficulties are symptomatized by depressed mood, crying spells, irritability, and low frustration tolerance
- she was diagnosed with an adjustment and personality disorder
- she was mentally cleared to understand and participate in proceedings

e. Her commander notified her that he was initiating actions to separate her under the provisions of Army Regulation 635-200 (Personnel Separations – Enlisted Personnel), Chapter 11, for inability to adapt to the military, on 6 May 1998.

f. She acknowledged that she had been advised by counsel of the contemplated separation action, the possible effects of the discharge, and the rights available to her. She elected not to make any statements in her own behalf. She indicated she understood she would receive an uncharacterized discharge, and she would be ineligible to apply for enlistment in the Army for a period of two years after discharge.

g. Her commander formally recommended her separation under the provisions of Army Regulation 635-200, Chapter 11.

h. A counseling report, dated 9 May 1998, from the Battalion Chaplain shows the applicant was counseled on 28 April 1998 at her request. She states she has been experiencing a lot of depression in the last few weeks. Her boyfriend had been killed and she joined the Army to run away from her grief. She believed she made a mistake in enlisting; her mother is ill, and she constantly worries about her. She felt stigmatized from being on a profile and being behind in training. She reported having suicidal ideations.

i. The separation authority approved the recommended separation action on 18 May 1998, and directed her discharge with issuance of an entry level separation (uncharacterized).

j. The applicant was discharged on 20 May 1998. Her DD Form 214 (Certificate of Release or Discharge from Active Duty) confirms she was discharged under the provisions of Army Regulation 635-200, Chapter 11, for entry level performance and conduct. Her service was uncharacterized. She completed 2 months and 18 days of net active service this period.

k. The applicant petitioned the ABCMR requesting upgrade of her uncharacterized discharge. On 24 May 2024, the Board voted to deny relief and determined the overall merits of this case were insufficient as a basis for correction of the applicant's records.

4. In reaching its determination, the Board can consider the applicant's petition, arguments and assertions, and service record in accordance with the published equity, injustice, or clemency guidance.

5. MEDICAL REVIEW:

a. The applicant is applying to the ABCMR requesting to change her uncharacterized discharge. She contends that she experienced mental health conditions including PTSD, which are related to her request. The specific facts and circumstances of the case can be found in the ABCMR Record of Proceedings (ROP). Pertinent to this advisory are the following: 1) The applicant enlisted in the Regular Army on 3 March 1998; 2) On 30 April 1998, she accepted NJP for stealing a pack of cigarettes; 3) On 1 May 1998, the applicant was counseled for falsifying a sworn statement; 4) The applicant's DD214 shows she was released from active-duty training on 20 May 1998-Chapter 11 for entry level performance and conduct. Her service was determined to be uncharacterized. She completed 2 month and 18 days of net active service. 5) On 24 May 2024, after petitioning for clemency, the Board determined that the applicant's discharge was fair and equitable.

b. The Army Review Board Agency (ARBA) Medical Advisor reviewed the available supporting documents and the available military service and medical records. The VA's Joint Legacy Viewer (JLV) and hardcopy VA medical records provided by the applicant were also reviewed. Lack of citation or discussion in this section should not be interpreted as lack of consideration.

c. The applicant asserts that mental health conditions including PTSD impacted the circumstances leading to her discharge. The applicant underwent a mental status evaluation on 5 May 1998 where the applicant was noted as experiencing symptoms of depression and anxiety related to her ability to adapt to the military environment

including coping and personality difficulties. As a result of this examination, the applicant was diagnosed with adjustment disorder with mixed anxiety and depressed mood and personality disorder NOS, mixed type, with prominent borderline and dependent personality traits. She was also cleared for additional administrative actions deemed appropriate by command. No additional mental health documentation was provided for review.

d. A review of JLV revealed the applicant began her connection with the VA on 11 April 2022 primarily for HUD services. She has had inconsistent behavioral health care engagement since that time with her most recent behavioral health contact occurring on 18 June 2025. The applicant's providers did not directly link her mental health conditions with her military service. The applicant is currently 90% VA service-connected for physical conditions. There is insufficient evidence the applicant has been diagnosed with a service-connected mental health condition, and she does not receive any service-connected disability for a mental health condition.

e. Based on the available information, it is the opinion of the Agency Medical Advisor that there is insufficient evidence at this time that the applicant was experiencing a mental health condition during service to warrant a change to her uncharacterized discharge status.

f. Kurta Questions:

(1) Did the applicant have a condition or experience that may excuse or mitigate the misconduct? Yes, the applicant asserts mental health conditions including PTSD are related to her request to change her uncharacterized discharge. The applicant was diagnosed by a military psychologist with adjustment disorder with mixed anxiety and depressed mood and personality disorder NOS with borderline and dependent traits which were related to her lack of ability to adjust to the military environment.

(2) Did the condition exist or experience occur during military service? Yes, the applicant asserts she was experiencing mental health conditions including PTSD during her active service which is related to her request to a change to her uncharacterized discharge. The applicant was diagnosed by a military psychologist with adjustment disorder with mixed anxiety and depressed mood and personality disorder NOS with borderline and dependent traits which were related to her lack of ability to adjust to the military environment as a part of a separation mental status evaluation.

(3) Does the condition or experience actually excuse or mitigate the misconduct? No, there is insufficient evidence that the applicant was experiencing a mental health condition including PTSD during her enlistment in military service that would mitigate her uncharacterized discharge. In addition, there is no nexus between the applicant's reported mental health conditions including PTSD and the applicant's charges of theft

and falsifying a sworn statement in that: 1) these types of misconduct are not a part of the natural history or sequelae of the applicant's reported mental health conditions including PTSD and; 2) the applicant's reported mental health conditions including PTSD broadly do not impact one's ability to distinguish right from wrong and act in accordance with the right. Yet, the applicant contends she experienced mental health conditions including PTSD while on active service that mitigate her misconduct, and the applicant's contention is sufficient for consideration per the Liberal Consideration Policy.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's request, supporting documents, evidence in the records, and published Department of Defense guidance for liberal consideration of discharge upgrade requests. The Board considered the applicant's statement and record of service, the frequency and nature of the applicant's misconduct, the reason for separation and the medical advisory opinion. The Board concurred with the medical opinion and found the applicant was separated for an inability to adapt to military life. The Board found no error or injustice in the separation proceedings under the regulation and subsequent characterization of service assigned at separation. The Board determined relief was not warranted.

2. Based upon the misconduct leading to the applicant's separation and the following recommendation found in the medical review related to the liberal consideration:

(1) Did the applicant have a condition or experience that may excuse or mitigate the misconduct? Yes, the applicant asserts mental health conditions including PTSD are related to her request to change her uncharacterized discharge. The applicant was diagnosed by a military psychologist with adjustment disorder with mixed anxiety and depressed mood and personality disorder NOS with borderline and dependent traits which were related to her lack of ability to adjust to the military environment.

(2) Did the condition exist or experience occur during military service? Yes, the applicant asserts she was experiencing mental health conditions including PTSD during her active service which is related to her request to a change to her uncharacterized discharge. The applicant was diagnosed by a military psychologist with adjustment disorder with mixed anxiety and depressed mood and personality disorder NOS with borderline and dependent traits which were related to her lack of ability to adjust to the military environment as a part of a separation mental status evaluation.

(3) Does the condition or experience actually excuse or mitigate the misconduct? No, there is insufficient evidence that the applicant was experiencing a mental health condition including PTSD during her enlistment in military service that would mitigate her uncharacterized discharge. In addition, there is no nexus between the applicant's reported mental health conditions including PTSD and the applicant's charges of theft and falsifying a sworn statement in that: 1) these types of misconduct are not a part of the natural history or sequelae of the applicant's reported mental health conditions including PTSD and; 2) the applicant's reported mental health conditions including PTSD broadly do not impact one's ability to distinguish right from wrong and act in accordance with the right. Yet, the applicant contends she experienced mental health conditions including PTSD while on active service that mitigate her misconduct, and the applicant's contention is sufficient for consideration per the Liberal Consideration Policy.

The Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's characterization of service.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
■	■	■	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for amendment of the ABCMR decision rendered in Docket Number AR20230012978 on 24 May 2024.

X

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, Section 1556, requires the Secretary of the Army to ensure that an applicant seeking corrective action by ARBA be provided with a copy of any correspondence and communications (including summaries of verbal communications) to or from the Agency with anyone outside the Agency that directly pertains to or has material effect on the applicant's case, except as authorized by statute. ARBA medical advisory opinions and reviews are authored by ARBA civilian and military medical and behavioral health professionals and are therefore internal agency work product. Accordingly, ARBA does not routinely provide copies of ARBA Medical Office recommendations, opinions (including advisory opinions), and reviews to Army Board for Correction of Military Records applicants (and/or their counsel) prior to adjudication.

2. Army Regulation 15-185 (ABCMR) sets forth procedures for processing requests for the correction of military records. Paragraph 2-15a governs requests for reconsideration. This provision of the regulation allows an applicant to request reconsideration of an earlier decision of the ABCMR. The applicant must provide new relevant evidence or argument that was not considered at the time of the ABCMR's prior consideration.

3. Army Regulation 635-200 (Personnel Separations – Enlisted Personnel) sets policies, standards, and procedures to insure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons.

a. Chapter 3 provides that a separation will be described as entry level with uncharacterized service if the Soldier has less than 180 days of continuous active duty service at the time separation action is initiated.

b. Paragraph 3-7a provides that an honorable discharge is a separation with honor and entitles the recipient to benefits provided by law. The honorable characterization is appropriate when the quality of the member's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

c. Chapter 11 provides for the separation of personnel because of unsatisfactory performance or conduct (or both) while in an entry-level status. When separation of a Soldier in an entry-level status is warranted by unsatisfactory performance or minor disciplinary infractions (or both) as evidenced by inability, lack of reasonable effort, or failure to adapt to the military environment, he or she will normally be separated per this chapter. Service will be uncharacterized for entry-level separation under the provisions of this chapter.

d. An uncharacterized discharge is not meant to be a negative reflection of a Soldier's military service. It simply means the Soldier was not in the Army long enough for his or her character of service to be rated as honorable or otherwise.

//NOTHING FOLLOWS//