

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2012-079

Discharge Issued

Character: Honorable

Narrative Reason: Fraudulent Entry

SPD/RE Code: JDA / RE4

Authority of Discharge: 12.B.12

Date of Separation: 2002-05-07

DRB Decision

Character: No Change

Narrative Reason: Separation for Misc/General Reasons

SPD/RE Code: JND / RE1

New Authority: 12.B.12

Discharge Review Board Discussion and Decision:

DISCUSSION:

The applicant was discharged for Fraudulent Entry into Military Service.

Due to the applicant's service being just shy of 7 months, there is minimal documentation in the member's PDR.

In this case, the applicant states never being treated for Bipolar Disorder prior to the initial enlistment date. There are no notations in the medical record to indicate that a diagnosis of Bipolar Disorder at the time of enlistment. The applicant did not dispute the previous treatment for depression or the prescription to Celexa. Moreover, the applicant disclosed the condition at the time of enlistment, so the separation is in error as a Fraudulent Entry into Military Service, because the applicant did not misrepresent, omit, or conceal it.

There is no evidence available in the record to support a finding that the applicant was diagnosed with Bipolar Disorder at the time of the enlistment. Therefore, the board cannot conclude a deliberate misrepresentation, omission, or concealment of a disqualifying factor. The record shows that the applicant did disclose those conditions at the time of the enlistment and thus cannot be said to have deliberately misrepresented, omitted, or concealed them. Moreover, the Coast Guard accepted the applicant in spite of those disclosed conditions as they were not disqualifying conditions from enlistment.

Ultimately, there is no documentation in the record to support a separation code of JDA for Fraudulent Entry into Military Service. The board unanimously recommends relief as follows:

SPD Code: JND

Narrative Reason: Separation for Miscellaneous/General Reasons

Authority: 12.B.12

RE code: RE-1

Final Adjudication by Assistant Commandant For Human Resources: Concur with Board. Aforesaid relief is granted.

In reviewing discharges, the Board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence (to include evidence submitted by the Applicant) to rebut the presumption.