



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001

TAL  
Docket No: 7013-13  
14 August 2014



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 6 August 2014. 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, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

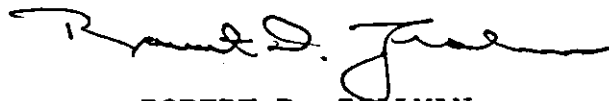
You enlisted in the Navy and began a period of active duty on 26 July 2006 at age 18. On 28 July 2006, you were the subject of a psychological evaluation that diagnosed you with depressive disorder, and alcohol and cannabis dependence which existed prior to enlistment. You stated you were diagnosed with attention deficit hyperactivity disorder (ADHD) and dyslexia in junior high. You also stated you were prescribed Adderall at age 17 and used it from 2005 through June 2006. You were expelled from high school in your sophomore year for drinking and using cannabis and began selling it at age 18. You began drinking alcohol at age 15 and drank a case of beer daily. You recalled being depressed at age 16 after a friend committed suicide, and admitted to cutting and burning yourself. While depressed, on two occasions, you punched a wall and broke your hand. It was further determined that you failed to disclose

this information during your recruiting process. As a result of your failure to disclose this information, your commanding officer initiated administrative discharge action by reason of fraudulent entry as evidenced by your concealment of pre-service treatment of your diagnosed ADHD and history of mental health treatment, drug use and illegal activity. On 11 August 2006, you received an entry level separation by reason of fraudulent enlistment, and were assigned an RE-4 (not recommended for retention) reentry code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, and overall record of service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reason for separation or reentry code which were based on your diagnosed ADHD and failure to disclose your past history of mental health treatment, drug use and sale of drugs. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,



ROBERT D. ZSALMAN  
Acting Executive Director