



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

[REDACTED]
Docket No: 3872-16
MAY 25 2017

[REDACTED]
Dear [REDACTED]

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 February 2017. 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, your naval record, and applicable statutes, regulations, and policies.

In regard to your request for a personal appearance, be advised that the Board regulations state personal appearances before the Board are not granted as a right, but only when the Board determines that such an appearance will serve some useful purpose. In your case, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of the record.

You began a period of active duty in the Navy on 24 February 2016. You served for less than two months before you were separated on the basis of erroneous entry on 1 April 2016. Prior to your entry into the Navy, on 29 July 2015, you were medically screened for enlistment. Your medical screening does not reflect disclosures relating to depression or anxiety. On 17 March 2016, the Recruit Evaluation Unit evaluated you, and noted an unspecified depressive disorder that existed prior to your entry into military service. You were notified the same day of administrative separation proceedings on the basis of erroneous entry. You were discharge from the Navy on 1 April 2016, with an uncharacterized discharge due to erroneous entry and a reenlistment (RE) code of RE-4.

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. The Board considered your request for a change to your RE-4 code on the basis that you are fully prepared to serve your country. When making its determination, the Board noted that you

provided a statement from [REDACTED] Counseling that contends that based on its assessment, you are psychologically sound.

The Board carefully weighed all potentially mitigating factors, such as your desire to change your RE-4 code and the implication that you would like to return to military service. The Board noted that your discharge was based on your failure to disclose medical conditions that existed prior to your entry into military service, not your psychological state. Given that your record reflects that you did not disclose depression or mental concerns in your 29 July 2015 screening for enlistment, the Board found that your RE-4 code was issued without error or injustice due to the erroneous enlistment. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,

[REDACTED]

Executive Director