



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

██████████
Docket No. 7204-24

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████, USN,
██████████

Ref: (a) 10 U.S.C. § 1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149
(2) Naval record (excerpts)

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to change his reenry code to allow him to reenlist. Enclosure (2) applies.

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 4 October 2024 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, applicable statutes, regulations, and policies, to include reference (b).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Navy and commenced active service on 20 April 2009. Petitioner was diagnosed with Major depressive disorder as well as self-mutilating behaviors and suicidality (EPTE). As a result of the foregoing, administrative separation proceedings were initiated by reason of erroneous enlistment, at which point Petitioner waived his right to counsel. Petitioner's separation proceedings was approved and directed by the separation authority on 19 May 2009, with an uncharacterized entry level separation by reason of erroneous entry and a RE-4 reenry code. On 28 May 2009, Petitioner was so discharge.

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[REDACTED]

d. Petitioner is seeking to reenlist in the Reserve and stated he is a civilian employee of the Department of the Navy (DON). For purposes of clemency and equity consideration, Petitioner provided a copy of an identification card and a partial copy of a Notification of Personnel Action (SF-50).

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board determined that relief is warranted. The Board determined Petitioner submitted sufficient evidence to support adjustment to his separation code to allow consideration for reaffiliation to the Armed Forces. In making this finding, the Board considered that Petitioner provided evidence that, despite his previous mental health condition, he qualified for civilian employment with DON. Further, the Board observed the military department concerned would be required to exercise due diligence in determining whether Petitioner's previous mental health condition, along with any current mental health conditions, is still disqualifying for enlistment in the military¹.

In view of the above, the Board directs the following corrective action.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

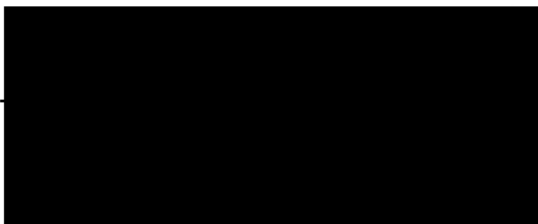
That Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge Form Active Duty (DD Form 215), for the period ending 28 My 2009, which indicates his reentry code is RE-8.

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

10/28/2024



¹ In making this recommendation to change Petitioner's reentry code, the Board is not making any findings on whether Petitioner is physically qualified for military service. However, based on his current circumstances, they believed it was an injustice to per se deny him an opportunity to be considered for enlistment.