



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

██████████
Docket No. 8904-24
Ref: Signature Date

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Dear ██████████

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted was insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 23 January 2025. 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, relevant portions of your naval record and applicable statutes, regulations and policies.

A review of your record shows that you enlisted in the Navy and commenced active duty on 22 November 2022. While you were in service, you sought medical care from a mental health provider. According to the medical notes of the care you received, dated 17 April 2023, you stated that you “felt trapped in the Navy and had no control over his future or over the decisions in his life.” You reported that your anxiety had improved and that you felt safer overall. You further explained that you felt safe enough to return to base because you wanted to have access to your phone so you can start making plans for your future; which included contacting a friend who owns a salon in Naples where you would seek a job after you left the Navy. The medical record reported: “[h]e states he sleeps 6-7 hours per night uninterrupted with little tossing and turning. He states his appetite is good. He is requesting information about returning to base and following up with the outpatient clinic. He states that if he returns to base, he will keep himself occupied by learning French and doing yoga”

A discharge from hospitalization note, dated 18 April 2023, explained your reason for admission to the hospital as due to your “[i]nability to adapt to the stressors of the military as evidenced by poor sleep and appetite, difficulty focusing and concentrating, low energy, hopelessness and helplessness and suicidal ideations” and that you were discharge from the hospital because you had received maximum benefits from inpatient stay and treatment. On 20 April 2023, a lieutenant in the Navy’s Medical Service Corps, presumably a mental health professional, opined

that you were recommended for administrative discharge due to condition, not a disability. On 22 September 2023, you were so discharged with an Honorable characterization of service.

In your petition, you have requested this Board to conduct a thorough review of your case and consideration for additional support and resources. In support of your request, you asserted that the documentation and medical evidence that you provided demonstrates the service related nature of your mental health condition and ongoing impact that it had on your life. In further support of your request, you provided medical records and a document from the Department of Veterans' Affairs (VA) demonstrating that you have a 50% service connected disability rating for chronic adjustment disorder with anxiety and depressed mood.

The Board carefully reviewed all of your contentions and the material that you submitted in support of your petition and conducted a thorough review of your case as you requested. The Board determined that it found no error or injustice in your naval records with respect to your discharge from service. In reaching its decision, the Board observed that it applies a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. In your case, the Board acknowledged that you sought mental health treatment while you were in the Navy relating primarily to your inability to adapt to Navy life and the available records reflect that your anxiety improved as you considered your future life after you left the Navy. Under these circumstances, and after a thorough review of the materials you provided as well as your service record, the Board was unable to find that you provided sufficient material to overcome the presumption of regularity that you were appropriately discharged. To the extent that, after you left the Navy, you manifested service connected disability conditions that were incurred or aggravated while you were in service, it is appropriate that you sought assistance from the VA. The available documentation that you provided indicates that you have obtained such a VA rating and that you may be able to obtain services from that organization; which is separate and distinct from the Department of the Navy. Such post-service findings by the VA are necessarily manifestation based and, as such, did not persuade the Board that your condition, not a disability, narrative reason of separation was in error or resulted from an injustice. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

2/27/2025

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