



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

██████████
Docket No. 11786-24
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. 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 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 20 February 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, to include the 25 August 2017 guidance from the Office of the Under Secretary of Defense for Personnel and Readiness (Kurta Memo).

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

A review of your record shows that you enlisted in the Navy and began active duty service on 7 December 2022. On 13 December 2023, you presented to mental health in Bahrain and were diagnosed with Adjustment Disorder with mixed anxiety and depressed mood. On 4 February 2024, you were admitted for inpatient mental health treatment and medically evacuated to Naval Medical Center ██████████ after a suicide attempt. On 25 February 2024, you were placed on limited duty due to difficulty in adapting to the Navy. On 11 April 2024, you were recommended for administrative separation for a condition, not a disability. The medical providers noted that your symptoms lessened in intensity once you were removed from an operational environment and stated you had a condition that rendered you unsuitable for military service but did not amount to a disability. Consequently, on 7 May 2024, you were notified of administrative separation on the basis of a Condition, not a Disability. You acknowledged your

rights, consulted with counsel, did not rebut the separation, and acknowledged that your condition did not qualify as a naval service disability. You were discharged on 13 September 2024 and your Certificate of Release or Discharge from Active Duty (DD Form 214) states an Honorable characterization of service with a narrative reason for separation as Condition, not a Disability.

For this petition, you request a medical discharge. You contend that you were improperly denied a physical evaluation board (PEB) and were diagnosed with Major Depressive Disorder; which qualifies as a disability and referral to the PEB. You submitted a medical document, dated 6 August 2024, to support your contentions.

The Board carefully considered all factors to determine whether the interests of justice warrant relief in your case in accordance with the Kurta Memo. These included, but were not limited to, your contentions that you deserve a medical discharge. Upon review, the Board disagreed with your rationale for relief. The Board noted in order to qualify for a medical discharge, a medical provider refers a service member to a PEB if they believe the member has a disability that prevents them from continued service. Under Secretary of the Navy Instruction 1850.4F, certain medical conditions, and adjustment disorder is one of them, are not deemed disabilities and do not warrant referral to the PEB. Moreover, the Board found that it relies on a presumption of regularity to support the official actions of military personnel and, in the absence of substantial evidence to the contrary, will presume personnel have properly discharged their official duties. The Board concluded medical personnel did not consider your condition a disability warranting referral to the disability processing system. Finally, the Board noted you were notified that you would be administratively discharged and not placed in the disability processing system; you accepted this determination. In light of the foregoing standards, the Board did not discern any facts that would support you being eligible for a medical discharge. 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,

3/18/2025

