



3. On 30 October 1982, you were examined by a medical officer after you disclosed a pre-service history of psychiatric counseling for nervousness and depression that had increased since you began active duty. You also indicated that you had attempted suicide in the past and that you were again contemplating it. You were diagnosed with situational anxiety and immature personality.

4. Unfortunately, the documents pertinent to your administrative separation are not in your official military personnel file (OMPF). Notwithstanding, the Board relies on 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. Based on the information contained on your Certificate of Release or Discharge from Active Duty (DD Form 214), you were separated, on 9 November 1982, with an "Honorable" characterization of service, your narrative reason for separation is "Burden to command due to substandard performance or inability to adapt to military service," your reentry code is "RE-4," and your separation code is "JHJ;" which corresponds to burden to command due to substandard performance or inability to adapt to military service.

After careful review, the Board reached the following conclusions and denied your application for relief.

The Board initially concluded you were appropriately processed for administrative separation based on your diagnosis and inability to adjust to a military environment. While the Board carefully considered your contention that your discharge was for due to your mental health, it found your argument unpersuasive. The Board acknowledged that you were diagnosed with situational anxiety and a personality disorder but was unable to find any evidence where you were administratively separated based solely on a mental health condition. Rather, the Board found that you were discharged for substandard performance and an inability to adapt. As mentioned previously, the Board relies on a presumption of regularity and it determined that you provided insufficient evidence to overcome the presumption that you were properly separated.

The Board applied liberal consideration to your claim that you suffered from a mental health condition, and to the effect that this condition may have had upon the conduct for which you were discharged in accordance with the Kurta Memo. Applying such liberal consideration, the Board found sufficient evidence of a diagnosis of mental health condition that may be attributed to military service. This conclusion is supported by your in-service diagnosis of a personality disorder. However, even applying liberal consideration, the Board found insufficient evidence to conclude that the conduct for which you were discharged was the result of your mental health condition. In this regard, the Board simply had insufficient information available upon which to make such a conclusion. The Board considered the fact your in-service medical record does not contain a recommendation to administratively separate you based on a mental health condition. Further, your record indicates that you were diagnosed with situational anxiety and personality disorder; neither condition triggered a medical board or warranted a medical discharge.

The Board also considered the totality of the circumstances to determine whether equitable relief was warranted in the interests of justice in accordance with the Wilkie Memo. In this regard, the Board considered, amongst other factors, the totality of your service, your relative youth and

immaturity at the time of your service, the negative effect your discharge has had on your life, your desire for veterans' benefits, and the passage of time since your discharge.

The Board found that the mitigating factors were not nearly sufficient to justify any equitable relief. Specifically, for the reasons previously discussed, the Board found that your assigned reason for separation remains appropriate and determined no basis exists to grant your request for constructive service credit. The Board found no evidence of an error in your record and determined it would be unjust to change your reason for separation and length of service based on your desire for veterans' benefits.

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,

1/28/2026

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Executive Director

Signed by: ■