



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

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Docket No. 6331-25
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.

Although you did not file your application in a timely manner, the statute of limitation was waived in accordance with the 25 August 2017 guidance from the Office of the Under Secretary of Defense for Personnel and Readiness (Kurta Memo). A three-member panel of the Board, sitting in executive session, considered your application on 13 May 2026. The names and votes of the panel members 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 Kurta Memo.

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

A review of your naval records reveals that you enlisted in the Marine Corps and commenced active duty on 31 December 2008. You were discharged shortly thereafter on 27 February 2009 with an uncharacterized discharge due to a condition, not a disability. Your administrative separation paperwork is not in your naval records. However, you provided a 10 June 2025 rating decision from the Department of Veterans Affairs (VA), which contains insight into the basis of your discharge. According to the VA Rating Decision, which states that it reviewed your applicable service treatment records, you were discharged due to an adjustment disorder, which was based on the stresses of your naval service, and that your adjustment disorder resolved when you were removed from the stress of naval service. Further, according to the VA Rating Decision, you did not receive mental health treatment again until 2017, which was well after your naval service, as follows:

According to the Mental Disorders DBQ (03/12/25), Veteran met DSM-5 criteria for a diagnosis of schizoaffective disorder, depressed type. Veteran's records do not contain any evidence that he was diagnosed with schizoaffective disorder before or during his military service. More specifically, no psychiatric difficulties were reported on his entrance exam (Entrance Exam Report of Medical Examination, 02/27/08), and pre-military mental health issues were denied on the Mental Disorders DBQ (03/12/25).

Instead, Veteran received a diagnosis of adjustment disorder during his military service (Branch Medical Clinic Note, 02/12/09). A diagnosis of adjustment disorder is given when a person develops emotional or behavioral symptoms in response to an identifiable stressor. In the 2009 clinic note, it was documented that Veteran had threatened to kill himself when he was informed he would have to stay on ██████████ for a year (Branch Medical Clinic Note, 02/12/09), indicating that this was his stressor. Adjustment disorders typically have a temporary nature and resolve sometime after the stressor has been removed. This appears to have been the case for Veteran as the next documentation of mental health difficulties is in 2017 ██████████ New Psychosocial Assessment, 04/24/17) when it was documented that this was Veteran's first attempt at getting mental health services. It was at that time that Veteran received a diagnosis of schizoaffective disorder, depressive type.

In your application, you requested to have your naval record corrected to show that you had a disability. In support of your request, you averred that granting your request would help you get disability back pay to your discharge date. You also argued that the "condition, not a disability" reason for discharge was false because you now have a well-documented extensive medical mental health record concerning your disorders. In further support of your request, you provided a variety of medical records as well as the 10 June 2025 VA Rating Decision.

The Board carefully reviewed your petition and all of the materials that you provided with your petition and disagreed with your rationale for relief. In its review of petitions for relief, the Board 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 determined that you provided insufficient evidence to overcome the presumption of regularity. In particular, the Board found that the 10 June 2025 VA Rating Decision, apparently relying on your service treatment records, specifically noted that you were discharged due to an adjustment disorder, which is not compensable within the service Disability Evaluation System (DES). The VA Rating Decision further noted that you did not exhibit mental health-related difficulties until 2017, which was approximately eight years after your discharge from the Navy. Further, the Board was unable to find evidence that there was an error or injustice in your naval record with respect to your discharge from service or the reason therefore. In sum, in its review and consideration of all the evidence, the Board did not observe any error or injustice in your naval records. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

5/28/2026

Deputy Director

Signed by: