



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 record of misconduct. While the Board carefully considered your contention for mitigation, the Board noted you did not provide any evidence to support a finding that you did not commit the misconduct that formed the basis of your administrative separation and Other Than Honorable characterization of service. The Board noted that you claim to have been separated with an uncharacterized entry-level separation but this was inconsistent with your service record. Based on your two years of documented active duty, the Board found this contention to be unsubstantiated. Further, the Board was not persuaded by your argument that your misconduct was related to a cognitive decline due to a head injury or mental health condition since you provided insufficient evidence to support such a finding. Therefore, the Board determined the presumption of regularity applies to your administrative separation and no error exists with your record.

However, because you raised the issue of traumatic brain injury (TBI) and mental health, the Board also requested an AO. As part of the Board's review, a qualified mental health professional reviewed your contentions and the available records and provided the Board with an AO on 31 December 2025. The AO stated in pertinent part:

There is no evidence that the Petitioner was diagnosed with PTSD, TBI or any mental health condition during his military service. There are no medical records as contained in his available service file; however, he did not cite any mental or medical symptoms during any administrative separation proceedings or during a prior petition (2020). He submitted VA evidence of a diagnosis of PTSD that is temporally remote to service. Furthermore, the rationale for/etiology of the diagnosis was not provided within the evidence submitted. Regarding his last NJP he indicated that he did not know the regulations for carrying a weapon; however, he entered service with a prior infraction involving unauthorized carrying of a pistol. His personal statement is not sufficiently detailed to provide a nexus between a mental health condition and his in service misconduct. Additional records (e.g., active-duty medical records, post-service mental health records describing the Petitioner's diagnosis, symptoms, and their specific link to his separation) may aid in rendering an alternate opinion.

The AO concluded, "There is insufficient evidence of a mental health condition, TBI, or PTSD that existed in service. There is insufficient evidence to attribute his misconduct to PTSD, TBI, or any other mental health condition."

The Board applied liberal consideration to your claim that you suffered from TBI and a mental health condition, and to the effect that these conditions may have had upon the conduct for which you were discharged in accordance with the Hagel and Kurta Memos. Applying such liberal consideration, the Board found insufficient evidence of a diagnosis of TBI or a mental health condition that may be attributed to military service. This conclusion is supported by the AO and the fact your Department of Veterans Affairs evidence is temporally remote to your service.

Additionally, even applying liberal consideration, the Board found insufficient evidence to conclude that the misconduct for which you were discharged was excused or mitigated by your mental health condition. In this regard, the Board simply had insufficient information available upon which to make such a conclusion and recognized the same concerns raised in the AO. Moreover, even if the Board assumed that your misconduct was somehow attributable to any mental health conditions, the Board unequivocally concluded that the severity of your serious misconduct more than outweighed the potential mitigation offered by any mental health conditions.

In addition to applying liberal consideration to your claimed mental health condition and its potential effect upon your conduct in accordance with the Hagel and Kurta Memos, the Board also considered the totality of the circumstances to determine whether equitable relief is warranted in the interests of justice in accordance with the Wilkie Memo. In this regard, the Board considered, amongst other factors, your contentions, the totality of your service, your need for veterans' benefits, the non-violent nature of your misconduct, your relative youth and immaturity at the time of your misconduct, your mental health issues, 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, the Board found that the severity of your misconduct far outweighed all of the mitigating factors combined. In particular, the Board found that your conduct showed a complete disregard for military authority and regulations. The Board observed you were given multiple opportunities to correct your conduct deficiencies but chose to continue to commit misconduct, which led to your OTH discharge. As explained in your commanding officer's comments to your administrative separation package, "[Petitioner] left his ship with two masts already behind him. He was duly warned by his prior command that any further misconduct could result in administrative separation. [Petitioner] reported onboard less than two months before he found himself at his third mast at this command. SNM is an administrative burden to both his former and present command, and as such has no further potential for service." The Board found that your conduct not only showed a pattern of misconduct but was sufficiently pervasive and serious to negatively affect the good order and discipline of your command. Further, the Board believed that it would be unjust to characterize your less than honorable service in the same manner as the service of the thousands of service members who, unlike you, honorably completed their enlistments without engaging in misconduct warranting the early curtailment of their service. Even taking into consideration your youth, the passage of time since your discharge, and the circumstances you claim to have faced while you were in Naval service, and your current need for veterans benefits, the Board found that your three non-judicial punishments during your relatively brief period of active duty outweighed the mitigation evidence offered. Therefore, the Board did not find an upgrade of your discharge to General (Under Honorable Conditions) or Honorable to be warranted in the interests of justice. While the Board acknowledged your current medical issues, ultimately, the Board concluded the mitigation evidence you provided was insufficient to outweigh the seriousness of your misconduct.

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,

3/12/2026

