



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

SJN  
Docket No: 3875-14  
8 April 2015



Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 7 April 2015. 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, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 7 November 1983. On 23 November 1983, a recruit mental health evaluation was conducted, and it was determined that you had chronic back pain and spondylolysis, both of which existed prior to your entry into the service. Based on the mental evaluation, you were processed for separation by reason of erroneous enlistment due to the diagnosed medical conditions. After being afforded all of your procedural rights, you were discharged with an entry level separation due to an erroneous enlistment.

The Board, in its review of your record and application, carefully weighed all potentially mitigating factors, such as your brief period of service and desire to change the reason for your discharge. Nevertheless, the Board found that these factors were not sufficient to warrant a change to the reason for your discharge given the medical conditions that existed prior to your entry. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. 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,

A handwritten signature in cursive script, appearing to read "Robert J. O'Neill".

ROBERT J. O'NEILL  
Executive Director