



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

CRS
Docket No: 8277-98
19 April 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for reconsideration for correction of your naval record pursuant to the provisions of Title 10, 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 14 April 1999. 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 25 June 1990 at age 17. A psychiatric evaluation, conducted on 14 September 1990, found that you had an adjustment disorder and a personality disorder. On 18 September 1990 you received an entry level separation by reason of "other physical/mental conditions - personality disorder". At that time you were assigned a reenlistment code of RE-4.

On 1 December 1992 this Board reviewed and denied your request to change the reason for discharge and the RE-4 reenlistment code.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and immaturity, good service, family problems, and good postservice conduct. However, the Board concluded that these factors were not sufficient to warrant an honorable discharge. The Board also once again concluded that the reason for separation and reenlistment code were proper and appropriate. An entry level separation is routinely assigned to individuals separated within

the first 180 days of active duty. Therefore, the entry level separation was appropriate since you had served less than 180 days of active duty.

Further, the Board concluded that since you submitted no evidence that you were incorrectly diagnosed as having a personality disorder, there is no basis to change the reason for your separation. The Board also noted that an RE-4 reenlistment code is authorized by regulatory guidance and is often assigned to individuals separated due to diagnosed personality disorders. It means that you may not reenlist in the Navy without prior approval of the Commander, Navy Personnel Command. The Board thus concluded that there is no error or injustice in your reenlistment code.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

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 or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director