



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

ELP
Docket No. 1855-01
27 July 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application 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 Navy Records, sitting in executive session, considered your application on 25 July 2001. 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 Marine Corps on 15 September 1997 for four years at age 18. The record reflects that you were advanced to LCPL (E-3) and served without incident until 19 October 1998, when you were admitted to a Naval hospital for a psychiatric evaluation after you remarked to a CPL (E-4) that you wondered when the air traffic control office would see the marks on your arms and figure out that you did not want to be there anymore. You were diagnosed with an unspecified personality disorder with antisocial and narcissistic features. Administrative separation was strongly recommended. Although you were not considered to be suicidal at that time, you were considered a potential risk to harm yourself or others if retained in the Marines. Subsequently, action was taken to revoke your qualifications as an air traffic controller and your military occupational specialty, and administrative separation was recommended.

On 19 November 1998 you were notified that action was being initiated to honorably discharge you by reason of convenience of

the government due to the diagnosed personality disorder. After being advised of your procedural rights and consulting with legal counsel, you declined to submit a statement in your own behalf. Thereafter, the commanding officer recommended an honorable discharge and this recommendation was approved. Incident to your discharge, you received a meritorious mast for your superior performance of duty while serving as the logistics clerk from 28 October to 14 December 1998. You were honorably discharged on 15 December 1998 and assigned an RE-3P reenlistment code.

Regulations authorize the assignment of an RE-3P or RE-4 reenlistment code to individuals who are discharged by reason of a diagnosed personality disorder. The Board noted the letters of reference from a GYSGT (E-7), MSGT (E-8), and SGTMAJ (E-9) in your former squadron. The Board also noted your contentions that your service was excellent and above reproach, the diagnosis was not accurate and unjust, the medical incident was a transient episode brought on by increased stress from the training program you were in, and that you were inexperienced and needed to excel. However, your contention that the Navy's diagnosis was inaccurate is unsupported by any medical evidence refuting the diagnosis. The Board noted that the Marine Corps views suicidal gestures with grave concern and individuals who are considered a potential treat to harm themselves or others are normally assigned an RE-4 reenlistment code. Since you received the most favorable reenlistment code authorized by regulation, the Board could find no error or injustice in your assigned reenlistment code. The Board thus concluded the reenlistment code was appropriate and no change is warranted. 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