



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

TRG
Docket No: 5739-00
23 February 20001

[REDACTED]

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 21 February 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 Navy on 18 May 1999 at age 19. On 7 July 1999 you were referred for evaluation. At that time you admitted to drinking a case of beer every day for several years and daily use of marijuana when you were 16 and 17 years old. You also admitted to being arrested 10 or 15 times and to convictions for possession of stolen property and being a minor and possessing alcohol. You were diagnosed with an antisocial personality disorder, attention deficit hyperactivity disorder, and alcohol and drug dependence.

Based on the foregoing evaluation you were processed for an administrative separation. In connection with this processing, you elected to waive your procedural rights. On 13 July 1999 the separation authority directed an entry level separation with an RE-4 reenlistment code. You were so separated on 16 July 1999.

In your application you are requesting that your general discharge be recharacterized to honorable and your reenlistment code be changed. As indicated, you were not issued a general discharge but an uncharacterized entry level separation. Regulations require an uncharacterized entry level separation for

those individuals separated within the first 180 days of active service. Since you were properly separated, a change to an honorable discharge is not warranted.

Concerning the reenlistment code, the Board concluded that your preservice record, which includes extensive drug and alcohol abuse, was sufficient to support the assignment of an RE-4 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