



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

JRE
Docket No. 01523-06
2 April 2007

[REDACTED]

[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 29 March 2007. 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.

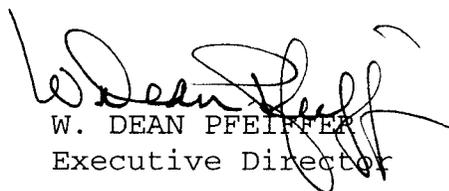
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you were discharged from the Marine Corps on 9 March 1970 by reason of unsuitability based on a diagnosed personality disorder. On 21 July 2004, the Department of Veterans Affairs (VA) denied your request for service connection for a personality disorder, which it classified as a developmental defect, and not ratable. The VA rating decision indicates that you did not respond to a letter requesting medical evidence, and advised you that your claim would be reopened upon your submission of evidence showing post service treatment and/or diagnosis of a mental disorder.

The Board noted that a personality disorder is not considered to be a disability under the laws administered by the Department of the Navy. Accordingly, and as you have not demonstrated that you suffered from a more severe mental disorder that was incurred in or aggravated by your naval service, and rendered you unfit for duty at the time of your discharge, the Board denied your request for correction of your record. 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