



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

JRE  
Docket No. 01026-07  
28 January 2008

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: [REDACTED]  
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show that he received a reentry code more favorable than RE-4. He contends, in effect, that he has not suffered from hypersomnia since he began allergy treatments after he was discharged from the Navy. He believes that he should have been "better treated and diagnosed" while in the Navy, rather than discharged. He submitted a statement from his private physician who indicates that Petitioner has done "well from both the hypersomnia and restless leg syndrome" and would not "be a danger to fall asleep in the line of duty".

2. The Board, consisting of Ms. [REDACTED] and Messrs. [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 17 January 2008, and pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner served in the Navy from 22 March 2001 to 8 April 2002, when he was discharged for the convenience of the government because of hypersomnia. He was assigned a reentry code of RE-4, as permitted by governing directives.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner has failed to submit sufficient evidence to demonstrate that he did not receive proper medical evaluation and treatment in the Navy, or that his discharge was based on a misdiagnosed condition. The Board concludes further, however, that it would have been more appropriate to assign him a reentry code of RE-3G, which would permit him to reenlist if he can demonstrate to waiver approval authorities that he is physically qualified for further service. Accordingly, the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

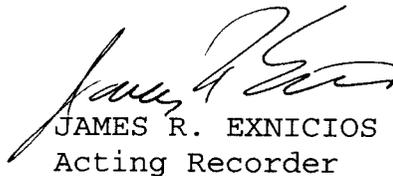
a. That Petitioner's naval record be corrected to show that on 8 April 2002, he was assigned a reentry code of RE-3G.

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

c. That no further relief be granted.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
JAMES R. EXNICIOS  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the

authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

*Robert D. Johnson*  
For W. DEAN PFEIFFER  
Executive Director