



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

JRE  
Docket No. 01184-07  
4 February 2008

[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 25 January 2008. 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.

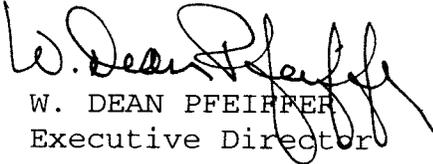
The Board found that you enlisted in the Navy on 15 July 2002. On 9 August 2002, you admitted to a Navy psychologist that you had been treated for bipolar affective disorder prior to enlisting. The psychologist gave you a diagnosis of bipolar disorder, not otherwise specified, existed prior to enlistment, and recommended that you be discharged from the Navy with an entry level separation because of that disqualifying psychiatric condition. Although your enlistment was fraudulent rather than erroneous, you were discharged by reason of erroneous entry on 19 August 2002, without any objections from you.

The Board concluded that in the absence of evidence which demonstrates that you were unfit for duty by reason of physical disability that was incurred in or aggravated by your brief period of naval service, there is no basis for recommending corrective action in your case. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is important to note that neither your discharge nor the action of the Board precludes you from applying for benefits administered by the Department of Veterans Affairs.

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