



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

TJR  
Docket No: 7721-07  
18 August 2008



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 Naval Records, sitting in executive session, considered your application on 12 August 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 29 March 2000 at age 20 and served without disciplinary incident until 24 September 2003, when you received nonjudicial punishment (NJP) for failure to obey a lawful order and soliciting. The punishment imposed was a forfeiture of pay, restriction, and a reduction in paygrade.

During the period from 25 March to 6 April 2005 you were referred for a psychiatric evaluation because of your suicidal gestures. You were diagnosed with a borderline personality disorder which was complicated by your current distress and suicidal ideation, and a depressive disorder. The psychiatrist's report stated, in part, that you were not suitable for retention because you were at risk of harm to yourself and others. At that time you were recommended for an expeditious administrative separation.

On 20 May 2005 you were referred for a drug and alcohol evaluation. You were diagnosed with alcohol dependence but refused to participate in a rehabilitation program. Again, you were recommended for an administrative separation because your potential for increased alcohol abuse was extremely high.

Subsequently, you were processed for an administrative separation by reason of convenience of the government due to a diagnosed personality disorder. The discharge authority directed an honorable discharge, and on 5 June 2005 you were so discharged and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth, post service conduct, and assertion that you do not believe your conduct warranted an RE-4 reenlistment code. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in the reenlistment code because of your diagnosed personality disorder. Further, an RE-4 reenlistment code is authorized when a Sailor is separated for this reason and is not recommended for retention or reenlistment. 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