



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

SJN
Docket No: 08875-07
29 September 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 23 September 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.

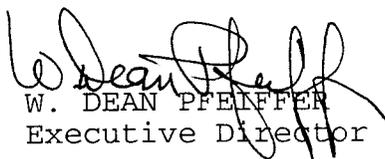
You enlisted in the Navy on 23 January 2002 at age 25. On 7 March 2002, a mental health evaluation determined that you had an adjustment disorder with mixed anxiety and depressed mood, made a with suicide attempt, alcohol abuse that existed prior to your entry into the service, and amphetamine dependency. The report further stated that you were a risk to harm yourself or others if retained in the Navy.

Based on the mental evaluation, you were processed for separation by reason of convenience of the government due to a condition not a disability for the diagnosed conditions. On 1 April 2002, you were advised of your rights, elected to submit a statement and to receive copies of documents to be forwarded to the separation authority, but waived all your other procedural rights. Subsequently, on 31 May 2002, you were discharged with an entry level separation. At that time, you were assigned a reenlistment code of RE-4.

The Board noted that applicable regulations require the assignment of an RE-4 reenlistment code to Sailors who are separated due to a condition, not a disability, your suicidal gesture, and the fact that you were a risk to harm yourself or others if retained. An RE-4 reenlistment code is routinely assigned under such circumstances. The Board thus concluded that there is no error or injustice in your 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