



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

SJN
Docket No: 09246-07
3 November 2008

[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 21 October 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 at age 25 and began a period of active duty on 15 February 1979. On 14 May 1979, you received nonjudicial punishment (NJP) for wrongful possession of a knife. Based on the information currently contained in your record you were diagnosed with a personality disorder on 10 March 1981.

On 23 March 1981, you were notified of pending administrative separation action by reason of unsuitability due to the diagnosed personality disorder. You elected to waive the rights to consult counsel, or submit a statement. On 6 April 1981, your commanding officer forwarded his recommendation for discharge to the separating authority. The recommendation was approved, and on 1 May 1981, you received an honorable discharge. At that time, you were assigned an RE-4 reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant a change to the reason for your discharge or your reenlistment code given the diagnosed

personality disorder. An RE-4 reenlistment code is routinely assigned under such circumstances. 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