



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

SJN
Docket No: 00709-08
21 January 2009

[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 6 January 2009. 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.

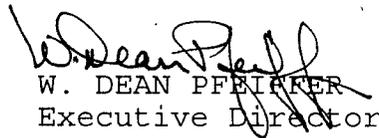
You enlisted in the Navy and began a period of active duty on 9 December 2002 at age 23. You served without incident for over three years until 8 February 2006, when you were the subject of a psychiatric evaluation. You were diagnosed with a borderline personality disorder. The report further stated, in part, that although you were not considered suicidal or homicidal, you represented a continuing danger to yourself and others if retained.

Based on the information currently contained in your record it appears you were notified of pending administrative separation action by reason of convenience of the government due to the diagnosed personality disorder. It also appears you waived the right to consult counsel, or submit a statement. As a result, your commanding officer forwarded his recommendation for discharge to the separating authority, and on 7 April 2006 you received an honorable discharge. At that time, you were assigned an RE-4 reenlistment code.

The Board noted that applicable regulations authorized the assignment of an RE-4 reenlistment code to individuals who are separated due to a diagnosed personality disorder, and that code is routinely assigned when the individual is deemed to present a threat to himself or others. 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 PFIEFFER
Executive Director