



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

TJR
Docket No: 2003-08
10 December 2008

[REDACTED]

[REDACTED]

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 9 December 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 15 May 2001 at age 18 and served without disciplinary incident.

On 7 February 2002 you were referred to a medical health unit for an anger management screening, depression, and failure to adapt to a military environment. You reported, in part, that you had no control in the military and did not like people telling you what to do. You were diagnosed with major depression and an adjustment disorder with depression. As a result you were recommended for an administrative discharge because your diagnoses were of such severity that it interfered with your ability to adequately serve.

Subsequently, you were processed for an administrative separation by reason of convenience of the government due to a condition, not a disability. On 21 February 2002 the separation authority directed an honorable discharge by reason of convenience of the government due to a condition, not a disability, as evidenced by the diagnosed major depression and adjustment disorder. At that time you were not recommended for retention or reenlistment.

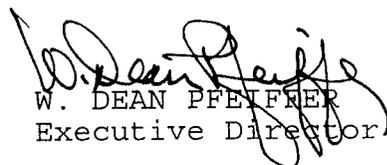
because of your lack of potential for further service and failure to adapt to a military environment. On 14 March 2002, while serving in paygrade E-3, you were so discharged and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to reenlist. It also considered your assertion that your RE-4 reenlistment code was incorrectly assigned because it did not apply to the requirements of your discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code. The Board concluded that your military and personal deficiencies, as well as the nonrecommendation for retention or reenlistment were sufficient to support the assignment of an RE-4 reenlistment code. Finally, such a code is authorized by regulatory guidance and normally assigned to Sailors who are serving in paygrade E-3 and separated with disqualifying medical or mental conditions. 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