



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

SJN
Docket No: 03055-08
29 April 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 April 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.

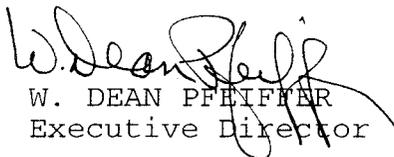
You enlisted in the Marine Corps on 16 June 2005 at age 18. On 19 December 2006, you received nonjudicial punishment (NJP) for insubordinate conduct, and two instances of disobedience.

Based on the information currently contained in your record it appears that on 19 December 2006, you were diagnosed with a personality disorder and on 12 January 2007 you were processed for separation by reason of convenience of the government due to the diagnosed disorder. You elected to receive copies of documents to be forwarded to the separation authority, but waived all other procedural rights. On 12 January 2007, your commanding officer forwarded your case to the separation authority, recommending a general discharge. On 22 January 2007, the separation authority directed a general discharge. On 23 January 2007, you were so discharged and assigned a 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 overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant a change to your reenlistment code given the diagnosed personality disorder. Regulations authorize the assignment of an RE-4 reenlistment code to individuals who are separated due to a diagnosed personality disorder. 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