



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

SMS  
Docket No: 4607-08  
26 February 2009



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 25 February 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.

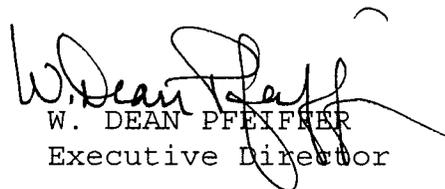
On 20 November 2002, you enlisted in the Navy at age 18. On 12 February 2004, you were counseled regarding deficiencies in your performance and conduct and warned that further infractions could result in disciplinary action or an other than honorable discharge. On 13 February and 29 October 2004, you had nonjudicial punishment for failure to obey a lawful order and insubordinate conduct. On 2 November 2004, you were counseled regarding deficiencies in your performance and conduct and warned that further infractions could result in disciplinary action or administrative separation. On 5 November 2004, you received an emergency psychiatric evaluation because you complained of having suicidal ideation. On 15 November 2004, a psychiatric evaluation diagnosed you as having a personality disorder not otherwise specified with antisocial and borderline traits, and stated that although you were not imminently suicidal or homicidal, you were a risk to harm yourself or others if retained.

On 22 November 2004, your commanding officer initiated administrative separation by reason of convenience of the government due to the diagnosed personality disorder. In connection with this processing you acknowledged the separation action. On 23 November 2004, you were separated with a general discharge by reason of convenience of the government due to a personality disorder and assigned an RE-4 reenlistment code.

Regulations authorize assignment of an RE-4 reenlistment code to members who are discharged due to a diagnosed personality disorder and are considered a risk to harm themselves or others if retained. Since you have been treated no differently than others in your situation, the Board could not find an error or injustice in the assignment of the RE-4 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