



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

BAN
Docket No: 06052-08
25 November 2009

[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 24 November 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 on 15 August 2006, and served without disciplinary incident. However, your record shows that on your separation evaluation, your commanding officer stated that you had no potential for further productive service, were not recommended for advancement or retention and had significant problems. Your record is incomplete, however, it appears that you were referred for a mental health evaluation and diagnosed with a personality disorder. Therefore, on 24 August 2009, you were separated with an honorable discharge and an RE-4 reenlistment code due to a personality disorder.

In June 2008, you petitioned this Board for a change to your RE-4 reenlistment code. Your record and reenlistment code are presumed to be correct without any additional information to the contrary. The Board noted that an RE-4 reenlistment code means that your commanding officer did not recommend you for retention

due to your diagnosed personality disorder. However, the Board also noted that if you can provide a copy of your father's death certificate and if it coincides with the period of when you were separated from military service, the Board would reconsider your case and allegation that you were separated due to hardship and not because of a personality disorder.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your contention that you were separated due to hardship. Nevertheless, at this time, the Board concluded these factors were not sufficient to warrant a change to your reenlistment code because of your diagnosed personality disorder. 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