



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

SMS
Docket No: 6054-08
5 March 2009

[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 4 March 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 9 October 1975, you enlisted in the Navy at age 18. On 27 August 1976 and 16 December 1977, you had nonjudicial punishment for use of marijuana and two instances of possession of marijuana. On 10 February 1979, you received a medical evaluation during which you requested psychiatric testing and counseling due to chronic anxiety of defecating and urinating on ship. On 28 November 1979, it appears that a psychiatric evaluation diagnosed you as having an inadequate personality. On 27 February 1980, you acknowledged that you were being considered for administrative separation due to a personality disorder. On 20 March 1980, a psychiatric evaluation diagnosed you as having a mixed personality disorder with special symptoms of having difficulty defecating and urinating in public places. The evaluation concluded by recommending discharge due to your diagnosed personality disorder.

On 6 April 1980, your commanding officer initiated administrative separation by reason of unsuitability due to your diagnosed personality disorder. In connection with this processing, you acknowledged the separation action and consulted counsel. On 5 August 1980, the discharge authority approved the recommendation and directed separation by reason of unsuitability due to a personality disorder, and that characterization of service would be determined as warranted by your service record. On 20 August 1980, you were honorably discharged by reason of unsuitability due to a personality disorder.

The Board, in its review of your entire record and application, carefully weighed all potential mitigation, such as your youth. The Board also considered the letter from Veterans Affairs that you submitted with your application regarding your service connected disability rating, and your contention that your reason for separation is false because you never had a personality disorder. Nevertheless, the Board concluded that these factors and contention were not sufficient to warrant changing the reason for your discharge since the record shows that you were discharged by reason of unsuitability due to a diagnosed personality disorder. Therefore, the Board concluded that the discharge was proper as issued and no change is warranted. 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