



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

TJR
Docket No: 9458-08
13 August 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 11 August 2009. The names and votes of the members of the panel will be furnished upon request. 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.

Your record reflects that on 10 October 1995 you enlisted in the Navy at age 18. During this period of service you were diagnosed with a delusional disorder, paranoid schizophrenia, and a paranoid personality disorder, all of which existed prior to enlistment. As a result, you were subsequently processed for an administrative separation because you could not satisfactorily complete recruit training due to the foregoing diagnosis. On 28 December 1995 you were issued an uncharacterized entry level separation and were assigned an RE-4 reenlistment code.

Your record reflects that on 23 July 1997 you again enlisted in the Navy. On 28 July 1997, during the moment of truth, you failed to disclose your history of inpatient psychiatric treatment and the foregoing psychiatric care and diagnosis received in October 1995. Nonetheless, you were reevaluated and again diagnosed with a delusional disorder, paranoid

schizophrenia, and a paranoid personality disorder, all of which existed prior to enlistment. You were found to be unfit for further service and recommended for an expeditious administrative separation.

Subsequently, you were processed for an administrative separation by reason of fraudulent entry due to failure to disclose your prior service, history of psychiatric treatment, and the diagnosis of a delusional disorder, paranoid schizophrenia, and a paranoid personality disorder. On 7 August 1997 the separation authority directed an uncharacterized entry level separation by reason of fraudulent entry and on 3 September 1997 you were so separated 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 change your reenlistment code. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code because of your fraudulent entry and diagnosed personality disorder. Further, the Board concluded that your diagnosed psychiatric disorders 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 separated due to their failure to disclose pre-service psychiatric treatment. Accordingly, your application has been denied.

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