



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

TJR
Docket No: 2307-09
17 February 2010

[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 17 February 2010. 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.

You enlisted in the Navy on 2 February 1999 at age 20 and served without disciplinary incident until 29 November 1999, when you received nonjudicial punishment (NJP) for failure to obey a lawful order.

On 22 January 2001, after undergoing a psychiatric evaluation, you were diagnosed with alcohol abuse and a personality disorder with avoidant features. The psychiatric report stated, in part, that you posed a serious threat to the safety and wellbeing of yourself and others, and as such rendered you incompatible with military service. You were also recommended for an expeditious administrative separation.

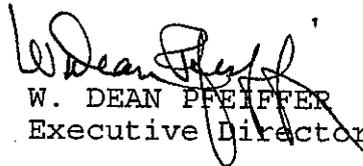
Subsequently, you were processed for an administrative separation by reason of convenience of the government due to your diagnosed personality disorder. The discharge authority directed discharge

under honorable conditions, and on 16 February 2001, you were issued a general discharge and were 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 the narrative reason for separation and reenlistment code so that you may reenlist in the armed forces. It also considered your assertion that you would like to be eligible to use the benefits of the Montgomery GI Bill. Nevertheless, the Board concluded these factors were not sufficient to warrant changes in the narrative reason for separation or reenlistment code because of your diagnosed personality disorder and incompatibility with military service. Finally, there is documented evidence in the record which is contrary to your assertion that you do not have a personality disorder. 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