



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

REC  
Docket No: 03009-09  
25 January 2010

[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 20 January 2010. 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.

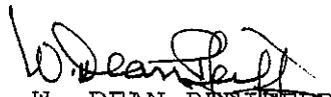
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 3 February 2009, at age 21. On 11 February 2009, you were referred to a Recruit Evaluation Unit (REU) for a mental health assessment which was conducted and you were diagnosed with an adjustment disorder. You were counseled regarding your condition, and advised to seek treatment after separation. Based on the mental health evaluation, and the fact that you failed to disclose your previous counseling and medication you were taking prior to enlisting in the Navy, you were processed for separation by reason of fraudulent entry due to your diagnosed adjustment disorder with mixed anxiety, depressed mood, and post traumatic stress disorder. On 26 February 2009, after you were advised of your rights, you elected to receive copies of documents to be forwarded to the separation authority, but waived all your other procedural rights. Subsequently, on 9 March 2009, you were discharged with an uncharacterized entry level separation by reason of your adjustment disorder. At that time, you were assigned a reenlistment code of RE-4.

In its review of your application, the Board considered all mitigating factors, such as your youth and record of service. Nevertheless, the Board found these factors were insufficient to warrant changing your characterization of service due to your diagnosed adjustment disorder. The Board noted that applicable regulations authorize an uncharacterized discharge for individuals who are separated due to medical diagnoses of adjustment disorders and processed for fraudulent enlistment. The Board thus concluded that there is no error or injustice in your character of service or your reenlistment code which were correctly assigned under your circumstances. 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