



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

TAL

Docket No: 3428-09
28 January 2010



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 13 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.

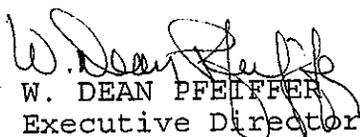
You enlisted in the Navy and began a period of active duty on 24 January 2006 at age 21. On 7 May 2008, you were the subject of a psychiatric evaluation that diagnosed you with a severe antisocial personality disorder that existed prior to entry into the service. During the evaluation it was stated, in part, that you had a long history of antisocial behavior, and that if you went to war and killed people you may not be able to stop yourself from continuing this behavior once you returned. You thought harming people or killing them should be done face to face, and preferably, in hand to hand combat. You admitted that you could be hired to kill anyone even your own family. On 16 May 2008, you were notified of pending administrative separation action due to your diagnosed personality disorder. On 30 May 2008, your commanding officer directed that you be separated by reason of your diagnosed personality disorder. You were honorably discharged on 3 June 2008. At that time you were assigned an RE-4 reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and

overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your reenlistment code given the diagnosis of a personality disorder, your pre-service history of antisocial behavior and desire to harm people. An RE-4 reenlistment code is routinely assigned under such 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 PFELFFER
Executive Director