



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

SJN
Docket No: 06530-10
21 April 2011

[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 19 April 2011. 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 Marine Corps and began a period of active duty on 13 June 1983. The Board found that, while in recruit training, you were seen by a psychologist and diagnosed with a mixed personality disorder, after you were informed that you were not going into the avionics field but were expected to go into infantry training. The report further stated, in part, that after an adequate period of observation, evaluation and treatment, you had shown long standing evidence of an inherent preexisting pathological personality disorder that precluded you from any further military service. Subsequently, based on the mental evaluation, you were processed for separation due to a personality disorder. You were afforded all of your procedural rights including the opportunity to submit a statement on your behalf. You received an uncharacterized entry level separation due to your physical disability which existed prior to your enlistment on 8 November 1983.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your relatively short period of service. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your characterization of service given your period of service which was less than 180 days. Additionally, the Board noted that you were notified of your separation process within 180 days of the beginning of your period of active service. Navy regulations authorize an uncharacterized entry level separation if the processing of a Marine's separation begins within 180 days of his entry on active duty. 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