



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX

WASHINGTON DC 20370-5100

JRE

Docket No. 08745-10

9 June 2011

[REDACTED]

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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. You contend that you were given an erroneous diagnosis of panic disorder with agoraphobia.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 June 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps on 7 February 2005. Shortly thereafter you had several anxiety attacks and were dropped from training. On 17 March 2005 you were evaluated at a mental health unit where you disclosed your lengthy pre-service history of anxiety attacks and symptoms consistent with a diagnosis of agoraphobia. You were separated from the Marine Corps for the convenience of the government on 31 March 2005 by reason of a condition not a disability. You were assigned a reentry code of RE-3P to indicate that you require a waiver of physical disqualification in order to become eligible for reenlistment.

In the absence of evidence which demonstrates that you did not suffer from a panic disorder with agoraphobia during your brief period of naval service, the Board was unable to recommend that the diagnosis of that condition be removed from your record, or that you be assigned a reentry code that would permit you to reenlist without first having to obtain a waiver of physical disqualification. 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