



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

REC
Docket No: 10618-10
26 July 2011

[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 20 July 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.

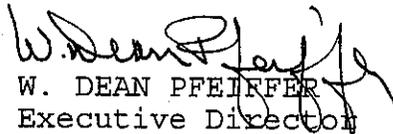
You enlisted in the Navy on 12 July 1976. On 26 May 1977, you received nonjudicial punishment (NJP) for failure to go to your appointed place of duty. During April 1979, a mental health evaluation was conducted and you were diagnosed with a passive aggressive personality disorder. On 20 April 1979, you received NJP for failure to obey a lawful order by failing to participate in the command urinalysis program, a duty you were fully aware of as a hospital corpsman. On 12 June 1979, your commanding officer recommended that your designation be revoked due to technical incompetence and unsatisfactory demeanor toward patients, seniors and peers. On 14 August 1979, you were notified that administrative discharge procedures were initiated and that you would receive an honorable discharge upon your separation. On 26 September 1979, the discharge authority directed an honorable discharge due to unsuitability (personality disorder). You were so discharged on 10 October 1979, and received 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 immaturity. However, the Board found that these factors were not sufficient to warrant any change in your narrative reason for separation, given your diagnosed personality disorder. The Board also noted that you were fortunate to receive an honorable discharge since a separation under other than honorable conditions is often directed when an individual is found to have committed misconduct. 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