



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

REC  
Docket No: 06231-11  
22 March 2012



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 21 March 2012. 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 12 January 1998, at age 19. On 29 January 1999, you received nonjudicial punishment (NJP) for being in an unauthorized absence status for 23 days, and missing ship's movement. Your record is incomplete, however, you were apparently diagnosed with a personality disorder and recommended for administrative separation. Based on the mental health evaluation you were processed for separation by reason of a diagnosed personality disorder. 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 14 May 1999, you were separated with a general discharge by reason of personality 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. Nevertheless, the Board found these factors were insufficient to warrant changing your reenlistment code due to your diagnosed personality disorder and misconduct. Applicable Navy regulations authorize an RE-4 reenlistment code for individuals who are diagnosed with a personality disorder and have committed misconduct. The Board thus concluded that there is no error or injustice in your reenlistment code which was correctly assigned based on your diagnosed personality disorder, misconduct, and non-recommendation for retention. 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