



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

REC  
Docket No: 00285-12  
26 September 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 26 September 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.

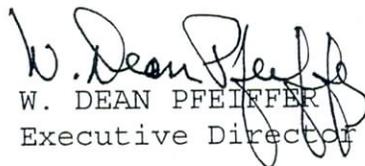
You enlisted in the Navy and began a period of active duty on 13 June 2007, at age 19. On 24 July 2007, you were referred for a mental health evaluation and diagnosed with a personality disorder which existed prior to your enlistment. You were counseled regarding your condition, and advised to seek treatment after separation. Based on the mental health evaluation you were processed for separation by reason of a diagnosed personality disorder, and the fact that you disclosed that you had suicidal ideation. 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 28 August 2007, you were discharged with an uncharacterized entry level separation by

reason of erroneous entry. At that time, you were assigned a reentry 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 reentry code due to your diagnosed personality disorder. The Board noted that applicable regulations authorize an uncharacterized discharge for individuals who serve less than 180 days of active duty and fail to complete training. Regarding your allegation that you lied about your mental health to obtain a discharge, the Board could not determine if you were lying then or now. The Board concluded that if you did lie about your mental health to obtain a discharge, you should not be rewarded now for your fraud with an RE-1 reentry code. The Board thus concluded that there is no error or injustice in your reentry code which was correctly assigned based on your diagnosed personality disorder. 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