



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

JRE
Docket No: 2027-01
11 June 2001

Dear [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 24 April 2001. 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.

The Board found that you enlisted in the Navy on 5 September 1985. On 7 August 1996, you presented for psychiatric evaluation because of a fear of heights, and were given a diagnosis of acrophobia. On 13 September 1986, you complained of "mental anguish" secondary to your impending administrative separation and concerns over future medical care entitlement for a neck injury. You denied sleep disturbances, social or occupational disturbances, suicidal or homicidal thoughts, or unhappiness. Your mental status examination results were within normal limits, and you were not found to be suffering from a psychiatric disorder. On 30 September 1986, you completed a Report of Medical History in connection with your pre-separation physical examination. You disclosed a history of arthritis and recurrent back pain, but denied frequent trouble sleeping, depression or excessive worry, or nervous trouble of any sort. The physician who conducted the examination did not discover any disqualifying defects, and you did not disclose any. You were discharged by reason of misconduct/commission of a serious offense on 10 October 1986.

The Board carefully considered the findings of your private physician, which are to the effect that you suffer from post traumatic stress disorder secondary to your military service, but found that information insufficient to warrant any corrective action in your case. As noted above, your mental health was evaluated on at least two occasions during your enlistment, and you did not disclose any of the hallmark symptoms of post traumatic stress disorder. In addition, you specifically denied a history of nervous trouble of any sort on 30 September 1986. In the absence of evidence which demonstrates that you were unfit by reason of physical disability at the time of your discharge, and that your discharge by reason of misconduct was erroneous or unjust, the Board was unable to recommend any corrective action in your case. 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