



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

WMP

Docket No: 8697-01

9 May 2002

[REDACTED]

[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 8 May 2002. 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 27 December 1999 for four years at age 18 as an SR (E-1). On 2 February 2000, you were diagnosed with an antisocial personality disorder. In his report the psychologist noted fighting, irritability and acting out. You also had anger management issues as evidenced by banging your head against the wall. An entry level separation was strongly recommended.

On 8 February 2000 you were notified that separation action was being initiated by reason of defective enlistment and induction due to erroneous enlistment as evidenced by the diagnosed antisocial personality disorder. You were advised of and waived all of your procedural rights, with the exception of obtaining copies of documents that were being forwarded to the separation authority supporting the basis for the proposed separation. On

9 February 2000, your separation was approved and on 18 February 2000 you received an entry level separation by reason of erroneous entry. At that time, you were assigned an RE-4 reenlistment code.

Regulations authorize the assignment of an RE-4 reenlistment code to an individual separated by reason of erroneous enlistment. The Board found no evidence that the diagnosis of antisocial personality disorder was incorrect. Given the apparent severity of this personality disorder, and your failure to complete recruit training, the Board concluded that the assigned reenlistment code was proper and no change is warranted. 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