



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

JRE
Docket No: 1638-02
12 April 2002



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 28 March 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 March 2000. Shortly thereafter, you were referred for psychological evaluation because your commander noted that you had poor concentration, performance deficiencies, attitude problems, and difficulty in completing the "PASS Program". When evaluated by a clinical psychologist on 9 May 2000, you disclosed that you had difficulty in recruit training, as well as in completing high school and civilian work assignments. The psychologist determined that you had numerous symptoms of inattention and hyperactivity that had persisted for at least six months to a degree that was maladaptive and inconsistent with your developmental level. He gave you a diagnosis of attention-deficit/hyperactivity disorder, hyperactive-impulsive type, and recommended that you be discharged. You were discharged from the Navy on 17 May 2000 by reason of erroneous entry. As you were not recommended for reenlistment, you were assigned a reenlistment code of RE-4.

The statement you submitted which indicates that you took a "TOVA" test on 3 October 2001, and that the results were within normal limits, was not considered sufficient to

suitable for military service. As you have not demonstrated that your reenlistment code in 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