



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

TJR
Docket No: 3511-02
27 November 2002

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 November 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 22 August 1995 at the age of 27, and served without disciplinary incident.

During the period from 26 January to 4 March 1996 you underwent psychiatric evaluations on five occasions and were eventually diagnosed with an adjustment disorder with anxiety, and a severe personality disorder with avoidant and inadequate traits. In these evaluations, it was noted that you were having considerable difficulty in adapting to military life. You were also recommended for an administrative separation because of your unsuitability and failure to adapt.

On 10 April 1996 you were notified of pending administrative separation action by reason of convenience of the government due to the diagnosed personality disorder. This recommendation noted, in part, that your personality disorder was of such severity that your ability to function effectively was significantly impaired, and interfered with the performance of your duties, and that you were not eligible for reenlistment. At that time you waived your right to consult with legal counsel

and to present your case to an administrative discharge board. Subsequently, your commanding officer recommended separation by reason of the diagnosed personality disorder. On 16 April 1996 the discharge authority approved this recommendation and directed an honorable discharge by reason of the diagnosed personality disorder. On 22 April 1996 you were so discharged and assigned an RE-4 reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, post service conduct, and your contention that the reason for separation is a negative misconception of your character and is not an accurate description of your mental status. It also considered your contention that you have maintained a steady job and have been able to handle stressful situations. Nevertheless, the Board concluded these factors and contentions were not sufficient to warrant a change in your reenlistment code and that the diagnosed personality disorder and your inability to adapt were sufficient to support the assignment of an RE-4 reenlistment code. In this regard, such a code is normally assigned to individuals who are separated due to a diagnosed personality disorder and not recommended for reenlistment. Further, there is no medical or psychiatric evidence in your record, and you have submitted none, to support your contention that the personality disorder does not accurately describe your mental status. 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