



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

WMP

Docket No: 5014-02
7 November 2002

[REDACTED]

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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 6 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 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 22 June 1999 for four years at age 19. On 1 July 1999, you were referred for psychological evaluation due to suicidal ideation. The attending psychiatrist diagnosed you with an attention deficit hyperactivity disorder, and a personality disorder with borderline and dependent features. Additionally, you revealed pre-service mental health treatment which was not disclosed prior to your enlistment. Based on these findings and your unsuitability for further naval service, an entry level separation was recommended.

On 6 July 1999 you were notified that separation action was being initiated for the convenience of the government due to physical or mental conditions interfering with the performance of duty, specifically, the attention-deficit hyperactivity

disorder; and by reason of erroneous enlistment as evidenced by the diagnosed personality disorder. You were advised of and waived all of your procedural rights except the right to obtain copies of documents supporting the basis for the proposed separation. On 7 July 1999 the discharge authority approved an uncharacterized entry level separation. You were so discharged on 9 July 1999 by reason of erroneous entry and assigned an RE-4 reenlistment code.

Regulations authorize the assignment of an RE-4 reenlistment code to an individual separated by reason of erroneous entry. The Board found no evidence that the diagnoses of attention-deficit hyperactivity disorder and personality disorder were incorrect. Given the apparent severity of these diagnoses, your failure to disclose your pre-service history of this disorder, your suicidal ideation, 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