



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

TJR
Docket No: 1520-03
16 October 2003

[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 15 October 2003. 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 February 2001 at age 19 and had no disciplinary actions.

On 6 June 2002, after undergoing a psychiatric evaluation, you were diagnosed with dysthymia, which existed prior to your enlistment, an unspecified personality disorder with depressive and negativistic features, and a severe long standing character and behavior which rendered you incapable of adequately serving. A naval hospital letter to your commanding officer stated that you would most likely become an increasing burden to your command with deteriorating performance, conduct, reliability, and judgment. This letter also stated that you could become a threat to harm yourself or others if retained in the Navy. At that time you were recommended for an expeditious administrative separation.

On 10 June 2002 you were notified of pending administrative separation action by reason of convenience of the government due to the diagnosed personality disorder. At that time you waived your right to consult with legal counsel and to present your case

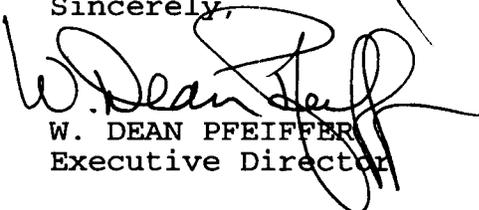
to an administrative discharge board. Subsequently, the discharge authority directed an honorable discharge by reason of convenience of the government due to the diagnosed personality disorder, and on 3 July 2002 you were so separated and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, and your statement that you were told that since you were an excellent Sailor with a clean record, you would be able to reenlist in the service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code. It concluded that the diagnosed dysthymia and personality disorder, and your nonretention in the Navy due to being a threat to yourself and others, were sufficient to support the assignment of an RE-4 reenlistment code. 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