



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

TAL
Docket No: 033-10
21 September 2010



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 15 September 2010. 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 and began a period of active duty on 23 October 1984 at age 17. On 5 August 1985, you received nonjudicial punishment (NJP) for a 21 day period of unauthorized absence (UA) and missing ship's movement. On 11 September 1985 you were admitted to the intensive care unit for an alleged suicidal gesture. On 19 September 1985 you were the subject of a psychiatric evaluation that stated in part that you were involved in two suicidal gestures prior to your enlistment, one involving iodine ingestion and the other a shotgun blast. You were diagnosed with severe adjustment and a mixed personality disorder. On 7 November 1985, you were notified of pending administrative discharge processing due to your diagnosed personality disorder. On 3 January 1986, you were UA for a 157 day period from your unit until 9 June 1986, when you were returned to military authority by the Piedmont Medical Center in Rockhill, South Carolina, after discharge from your admission on 30 May 1986. You were again notified of pending administrative discharge processing with an other than honorable (OTH) discharge due to misconduct due to commission of a serious offense. You waived all of your

procedural rights, including your right to an administrative discharge board (ADB). On 15 August 1986, you received the OTH discharge for misconduct due to commission of a serious offense.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, overall record of service and diagnosed personality disorder. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your discharge given the seriousness of your misconduct. 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