



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

REC
Docket No: 04482-10
10 February 2011

[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 9 February 2011. 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 15 July 1999, at the age of 18. Your record is incomplete, but it appears that on 29 July 1999, a mental health evaluation was conducted and you disclosed that you had a pattern of difficulty tolerating authority, arguing with authority figures, were irritable, held grudges, were vindictive, refused to follow orders, and were deliberately annoying. You were experiencing depressed moods, poor sleep, stress-induced vomiting, anger, and suicidal ideation. All of the above listed mental health problems existed prior to your enlistment. You were diagnosed with oppositional defiant disorder and recommended for an uncharacterized entry level separation. On 2 August 1999, you were advised that your commanding officer was recommending you for administrative separation with an uncharacterized entry level separation due to your mental health evaluation by reason of erroneous entry. You waived all of your procedural rights. You received a reentry code of RE-4 upon your separation for a condition not a disability. You were so discharged with an uncharacterized separation on 9 August 1999.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to reenlist in the military. However, the Board found that these factors were not sufficient to warrant any change in your reentry code, given your diagnosed mental health condition. 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