



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

TJR
Docket No: 10212-10
20 October 2010

[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 19 October 2010. The names and votes of the members of the panel will be furnished upon request. 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.

Although your record is incomplete, it appears that you enlisted in the Navy on 5 October 1994 at age 18 and served without disciplinary incident until 23 June 1995, when you received nonjudicial punishment (NJP) for disrespect, disobedience, insubordination, and using provoking speech or gestures. The punishment imposed was restriction and extra duty for 45 days and a \$854 forfeiture of pay.


On 24 July 1995 you were referred for a psychiatric evaluation because of your problems adjusting to shipboard life. As a result, you were diagnosed with a personality disorder with antisocial traits and recommended for an administrative separation. Subsequently, you were processed for an administrative separation by reason of convenience of the government due to the diagnosed personality disorder. At that time you were not recommended for retention or reenlistment. The

discharge authority directed an honorable discharge, and on 25 August 1995, while serving in paygrade E-2, you were so discharged and were assigned an RE-4 reenlistment code.

The Board, in its review of your record, again although incomplete, and application, carefully weighed all potentially mitigating factors, such as your youth and desire to change the narrative reason for separation and reenlistment code. It also considered the medical documentation provided in support of your case. Nevertheless, the Board concluded these factors were not sufficient to warrant a change of your reenlistment code or narrative reason for separation because of the diagnosed personality disorder. Accordingly, your application has been denied.

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