



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No: 3594-16
FEB 22 2017

[REDACTED]
Dear [REDACTED]

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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records considered your application on 30 January 2017. 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.

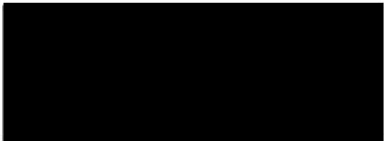
You began a period of active duty in the Navy on 25 October 1995. On 5 September 1996, you were notified of administrative separation processing on the basis of personality disorder, with a recommendation for a general (under honorable conditions) ("GEN") characterization of service. Your medical records from September 1996 reflect a diagnosis of a borderline personality disorder. On 27 September 1996, after 11+ months of service, you were discharged with a GEN characterization of service and assigned an RE-3G reentry code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your personal statement regarding your molar pregnancy and the unfortunate loss of your fetus, which caused you to feel depressed and withdrawn. Furthermore, the Board noted your youth, your difficulty in obtaining post-service employment, as well as your assertion that the Navy did not give you time to cope with your loss, and that your chain of command did not provide you with adequate support during your active-duty service. The Board also considered your statement that the personality disorder diagnosis was incorrect, and that your mental state was a reflection of your struggles with the loss of your pregnancy, and not a personality disorder.

However, the Board noted that your military medical record reflected a molar pregnancy, but found that the information you provided did not establish that the documented personality disorder diagnosis was incorrect. The Board found that your chain of command properly relied upon the medical professional's diagnosis as a basis for separation and that you were notified of discharge proceedings in accordance with applicable regulatory guidance. The Board determined that there was insufficient information provided with your application to determine that either the narrative reason, or the GEN characterization of service were erroneous or unjust. Finally, there is no provision of federal law or in Navy regulations that allows for a discharge upgrade, recharacterization of service, or a change in a reentry code due solely to the passage of time. Accordingly, your application has been denied.

It is regrettable 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 within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. 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,


Executive Director