



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

[REDACTED]
Docket No: 7863-16

NOV 2 9 2017

[REDACTED]
Dear [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.

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, sitting in executive session, considered your application on 18 October 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, relevant portions of your naval record and applicable statutes, regulations and policies.

You enlisted in the Navy and began a period of active duty on 22 September 2004. You served for two years and five months without disciplinary incident, but on 10 January 2007, you received nonjudicial punishment (NJP) for unauthorized absence from your unit. On 31 January 2007 you were referred by your command for a psychiatric evaluation after reporting that you were experiencing auditory hallucinations. You described hearing a vague voice asking "what are you doing?" "Why are you still here?" You appeared to have a longstanding pattern of maladaptive and marginal functioning that is inconsistent with the requirement of your position and role on a submarine. You were diagnosed with a personality disorder, not otherwise specified, and deemed unsuitable for continued military, you were considered to be at risk for continued and more serious impairment in functioning if you remained in the active service. Subsequently, you were notified of pending administrative separation by reason of convenience of the government due to personality disorder at which time you waived your procedural rights to consult with legal counsel and to present your case to an administrative discharge board (ADB). Your commanding officer recommended an honorable discharge by reason of personality disorder. The discharge authority approved this recommendation and directed

separation with an honorable characterization of service, and on 28 February 2007, you were discharged.

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. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, and your claim that at the time of your discharge you were undergoing a bad divorce and had been arrested for an unrelated matter that was dropped after your discharge. The Board concluded that your diagnosed personality disorder and non-recommendation for retention were sufficient to support the assignment of an RE-4 reenlistment code, which is authorized by regulatory guidance. 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,



Executive Director