



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

[REDACTED]
Docket No: 5350-17

NOV 01 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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 23 August 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.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You began a period of active duty in the Navy on 1 August 2016. You served without disciplinary incident for your tenure with the military. On 22 August 2016, you were diagnosed with a "brief psychotic disorder." Medical notes in your service record indicate that the medical assessment found you to be disorganized, and to have displayed violent behavior and unreliable work performance. On 6 September 2016, you were notified of administrative separation proceedings against you on the basis of a condition, not a disability. On 9 September 2016, Commanding Officer, Recruit Training Command recommended that you be administratively separated with an uncharacterized discharge. You were discharged from the Navy on 20 September 2016, with an uncharacterized (entry level separation) on the basis of a condition, not a disability, and received a reentry (RE) code of RE-4.


The Board considered your request for a change to your RE-4 code to an RE-3G so that you could seek a waiver and reenlist. When making its determination, the Board noted that you contend that during boot camp, you were subject to sleep deprivation and were singled out for

days. The Board considered your assertion that you suffered from sleep deprivation psychosis and that you were diagnosed with a brief psychotic disorder after being medicated. You also contend that you signed separation paperwork while under the influence of medication.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material or injustice. The Board carefully weighed all potentially mitigating factors, such as your assertion that you were subject to unjust treatment during boot camp and that the medical diagnosis made on 22 August 2016, was made after you had not had sufficient sleep. The Board noted that you did not provide documentation establishing that the medical diagnosis made on 22 August 2016 was erroneous or that your current health is such that you are able to withstand the rigors of military training and military service. The Board determined that the diagnosis of a condition, not a disability, that predicated the administrative discharge proceedings, was made without error or injustice. The Board examined the procedure by which you were administratively separated. Given that you had completed less than six months of service and because your command recommended an uncharacterized (entry level) separation, the Navy had the discretion to separate you regardless of whether you concurred with its decision. Accordingly, the Navy complied with its regulatory requirements when it notified you of the separation proceedings and the basis for which you were being discharged. The Board determined that the issuance of the RE-4 code was properly assigned given the information documented in the medical assessment of 22 August 2016. The Board determined that a change to your RE-4 is not warranted. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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