



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 4976-98

24 September 1999

[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 21 September 1999. 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 5 January 1998. On 28 April 1998 you were diagnosed as having an adjustment disorder with depressed mood and a personality disorder with borderline, antisocial, paranoid and passive-aggressive features. The psychologist recommended expeditious administrative separation because he considered you a possible threat to act out against yourself or others if you were retained in the Navy.

Based on the psychiatric diagnosis, you were processed for an administrative separation. In connection with this processing, you elected to waive your procedural rights. On 19 May 1998 the separation authority directed an entry level separation and you were so separated on 11 June 1998. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

Regulations allow for the assignment of an RE-4 reenlistment code when an individual is discharged due to a diagnosed personality disorder. The Board believed that the finding that you were at risk to harm yourself or others was sufficient to support the assignment of the restrictive reenlistment code. Since you have been treated no differently than others in your situation, the

Board could not find an error or injustice in the assignment of the RE-4 reenlistment code.

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