



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

JRE
Docket No: 3582-99
20 July 1999

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 8 July 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 if your present contentions concerning the circumstances of your discharge from the Marine Corps in 1980 are true, you fraudulently procured your discharge by feigning mental illness. Accordingly, it was unable to conclude that the resulting diagnosis of a borderline personality disorder is unjust. Your good post service conduct and accomplishments and other factors enumerated in your application were not considered sufficient to warrant the removal of the objectionable diagnosis from your record. In view of the foregoing, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board noted that your DD Form 214 indicates that you were discharged by reason of physical disability, when, in fact, the medical board which evaluated you on 30 July 1980 recommended that you be discharged by reason of unsuitability based on the personality disorder, and the recommendation was approved by the medical board convening authority. If you want the Board to correct the basis for your discharge to unsuitability, you should submit a new application.

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