



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

TJR
Docket No: 4281-98
16 April 1999

[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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 13 April 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Navy on 8 March 1993 at the age of 22. Your record reflects that on 18 March 1993, after undergoing a psychiatric examination, you were diagnosed with an adjustment disorder with a depressed mood and avoidant personality traits.

Subsequently, you were notified of pending administrative separation action by reason of entry level performance and conduct. At this time you waived your rights to consult with legal counsel and to submit a statement in rebuttal to the separation. On 23 March 1993 the discharge authority directed you be issued an uncharacterized entry level separation by reason of entry level performance and conduct. On 26 March 1993 you were so separated and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, post service conduct, and your contention that you would like your reenlistment code changed so

that you may reenlist now that you no longer have an unknown aversion to large groups of people. The Board further considered your contention that you accepted the entry level separation with the understanding that you could reenlist at a later date. However, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code since an RE-4 reenlistment code is required when an individual is separated due to entry level performance and conduct. Given all the circumstances of your case, the Board concluded your reenlistment code was proper and no change is warranted. 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