



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 5798-98

6 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 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 4 May 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 18 September 1997 at age 19. On 22 September 1997 you were referred to the Recruit Evaluation Unit after you admitted to preservice psychiatric counseling. Subsequently, you were seen in a follow up appointment. A psychiatric evaluation, dated 7 October 1997, states, in part, as follows:

... Since his arrival, however, he has felt extremely nervous and agitated. He described himself as "freaking out", reporting restless sleep, frequent nightmares, frequent tearfulness, and panic-like symptoms including shortness of breath and accelerated heart rate. The anxiety appeared to be in excess of what is normally experience at boot camp, and seemed to be interfering with his performance at RTC.

You were diagnosed as having an adjustment disorder with anxiety and were recommended for an entry level separation.

Based on the psychiatric evaluation you were processed for discharge by reason of entry level performance and conduct. In connection with processing, you elected to waive your procedural rights. On 9 October 1997 the discharge authority directed an

entry level separation and you were so separated on 15 October 1997. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

Regulations require the assignment of an RE-4 reenlistment code when individuals are separated by reason of entry level performance and conduct. Since you have been treated no differently than others separated for that reason, 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