



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

CRS

Docket No: 7126-98

3 June 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 27 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Naval Reserve on 31 July 1996 at age 17. You reported to active duty on 18 June 1997. A psychiatric evaluation, conducted on 15 July 1997, found that you had an adjustment disorder and should be separated from the Navy. In this regard, the psychological evaluation noted "periods of uncontrollable crying, decreased sleep and appetite, recurrent suicidal and violent ideation, an inability to relax, and difficulty establishing peer relationships. On 28 July 1997 you received an entry level separation by reason of erroneous entry. At that time you were assigned a reenlistment code of RE-4.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as the contention that you were separated due to physical problems. However, the Board concluded that these factors were not sufficient to warrant an honorable discharge, a change in the reason for separation, and a better reenlistment code. An entry level separation is routinely assigned to individuals separated within the first 180 days of active duty. In this regard, the Board noted your contention

that physical problems caused your separation. It is clear from the record that you were having some physical problems, especially with your leg and knee. However, you were separated due to the adjustment disorder. The RE-4 reenlistment code is authorized when an individual is separated due to erroneous enlistment, and is routinely assigned when an individual fails to complete recruit training.

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