



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

ELP
Docket No. 3484-01
21 September 2001

[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 Navy Records, sitting in executive session, considered your application on 19 September 2001. 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.

You enlisted in the Navy on 11 August 1997 for four years at age 20. The record reflects that you were advanced to RP3 (E-4) and served without incident until 23 June 2000, when you were dropped from the field medical service school. On 29 June 2000 you were diagnosed with an unspecified personality disorder and administrative separation was recommended. The fact and circumstances surrounding your referral for a psychiatric evaluation are not on file in available records.

On 7 July 2000 you were notified that administrative separation action was being initiated by reason of convenience of the government due to the diagnosed personality disorder. You consulted with legal counsel, elected to submit a statement in your own behalf and to have the general court-martial convening authority (GCMCA) review your case. Thereafter, the commanding officer recommended discharge by reason of the personality disorder. In his recommendation, he stated you had a history of

disrespect towards seniors, questioned the authority of seniors and had anger management issues, all of which were inconsistent with Naval service.

On 11 August 2000 the GCMCA reviewed your case and directed an honorable discharge and assignment of an RE-3G reenlistment code. You were so discharged on the same date.

Regulations authorize the assignment of an RE-3G reenlistment code to individuals discharged by reason of a diagnosed personality disorder. The Board specifically noted the undated copy of the GCMCA's action you provide which indicates assignment of an RE-3P reenlistment code was directed. The Board also noted that at the time, you were assigned to a Marine Corps command. While Marine Corps regulations authorize the assignment of an RE-3P reenlistment code to Marines discharged for a personality disorder, this code is assigned to Navy personnel only if they are discharged for physical disability. It is apparent the Marine Corps realized you had to be processed according Navy regulations, and the GCMCA's action was re-executed. The new action directed an RE-3G reenlistment code. Enclosed is a copy of the GCMCA's action filed in your record. Since you were treated no differently than others discharged under similar circumstances, the Board could find not error or injustice in your assigned 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

Enclosure