



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

TRG
Docket No: 4250-00
20 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 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 18 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.

The Board found that you reenlisted in the Navy on 22 July 1998 for three years. On 15 February 2000 you were admitted to the hospital following a suicide attempt and were diagnosed with a personality disorder. Subsequently, the command referred you for further evaluation because of the possibility of another suicide attempt. You were again diagnosed with a personality disorder, and an expeditious administrative separation was recommended because you were considered a risk to harm yourself or others.

Based on the diagnosed personality disorder, you were processed for an administrative discharge. At that time, you elected to waive your right to have your case heard by an administrative discharge board. Subsequently, the discharge authority directed an honorable discharge and you were so discharged on 31 March 2000 with separation pay of \$17,880. At that time you were credited with 15 years, 4 months and 28 days of active service.

In your application you are requesting retirement instead of discharge. You believe this is appropriate because you have over 19 years of total service when your service in the Army Reserve is considered. In reaching its decision, the Board was aware

that at the time of your discharge the Navy was no longer offering 15 year retirement under the provisions of law authorizing the Temporary Early Retirement Authority (TERA). The Board concluded that the circumstances of your case did not provide a sufficient basis to make an exception to this policy. The Board also noted that you were not eligible for retirement under any other provision of the law.

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