



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

TRG
Docket No: 7880-01
11 March 2002



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 5 March 2002. 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 29 June 2000 at age 17. Subsequently, you were diagnosed with a borderline personality disorder. During the evaluation you admitted to several prior suicide attempts and preservice psychiatric treatment. The psychologist considered your condition disqualifying for service and recommended an administrative separation.

On 25 July 2000 you were notified of separation processing due to the diagnosed personality disorder. In connection with this processing, you elected to waive your procedural rights. Subsequently, the separation authority directed an entry level separation and you were so separated on 31 July 2000. You were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

You contend in your application, in effect, that you did not contest your separation because you were told that you could reenlist in six months. You have submitted character references that attest to your good employment history and maturity.

There is no provision in the regulations which would allow a

change in the reenlistment code or permit reenlistment based solely on the passage of a period of time. Therefore, your contention that you were told you could reenlist in six months was considered to be without merit.

Regulations allow for the assignment of an RE-4 reenlistment code in most cases when an individual fails to complete Navy recruit training and such a code is normally assigned in such a situation when the separation is based on an adverse psychiatric evaluation. Since you have been treated no differently than others similarly situated, 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