



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

TRG
Docket No: 8437-00
7 June 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 5 June 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 enlisted in the Navy on 28 January 1998 at age 27. The record shows that you completed initial training and on 18 May 1998 you reported to your first duty station. On 10 August 1998 you were diagnosed with a personality disorder. The psychiatrist noted that you were an immigrant alien and were having difficulty adjusting to the Navy because of cultural differences. An expeditious administrative separation was recommended because you were considered at risk to harm yourself if retained in the Navy.

Based on the psychiatric evaluation you were processed for an administrative discharge. In connection with this processing, you elected to waive your procedural rights. On 16 September 1998 the discharge authority directed an honorable discharge. You were so discharged on 15 September 1998. At that time, you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

You desire a change in your reenlistment code so that you can enlist in the Army Reserve. You state that you wanted to get out of the Navy because your family in Sierra Leone needed help.

The Board found that the psychiatric evaluation was sufficient to support your discharge by reason of a diagnosed personality disorder. The Board concluded that your discharge was proper and no change is warranted.

Regulations allow for the assignment of an RE-4 reenlistment code when an individual is discharged due to a diagnosed personality disorder, and such a code is normally assigned when there is a finding that an individual is at risk for self harm. Since you have been treated no differently than others in your situation, 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