



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

WMP
Docket No: 8550-01
3 April 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 3 April 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.

The Board found that you enlisted in the Navy on 25 July 2000 for four years at age 19 as an SR (E-1). On 18 August 2000, you were referred to the recruit mental health unit by your recruit division commander (RDC), and were diagnosed with a bipolar I disorder with manic feature as evidenced by your elevated mood, hyperactivity, hyper-talkativeness, racing thoughts, inappropriate affect, and grandiosity. An entry level separation was strongly recommended.

On 22 August 2000 you were notified that separation action was being initiated by reason of defective enlistment and induction due to erroneous enlistment as evidenced by the diagnosed bipolar disorder. You were advised of your procedural rights and you elected to consult with qualified counsel, which was provided for you. After consultation with counsel, you elected

to submit a statement to the separation authority and to obtain copies of documents that were being forwarded to the separation authority supporting the basis for the proposed separation. Additionally, you requested that the general court martial convening authority review the proposed separation. Thereafter, the general court martial convening authority approved the proposed separation action and directed an uncharacterized entry level separation. You were so discharged on 6 September 2000 by reason of erroneous entry and assigned an RE-4 reenlistment code.

Regulations authorize the assignment of an RE-4 reenlistment code to an individual separated by reason of erroneous enlistment. The Board found no evidence that the diagnosis of bipolar disorder was incorrect. Given the apparent severity of this diagnosis, and your failure to complete recruit training, the Board concluded that the assigned reenlistment code was proper and no change is warranted. 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