



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

JRE
Docket No: 8740-01
24 May 2002

[REDACTED]

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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 25 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 served on active duty in the Marine Corps from 27 May 1998 to 16 June 1998, when you were discharged by reason of fraudulent enlistment based on your failure to disclose a pre-service history of psychiatric disease and treatment therefor. Initially, you were assigned a reenlistment code of RE-3P, which indicates that you were not physically qualified for reenlistment. The code was amended on 8 February 2001 to RE-3F, to indicate that you failed to complete recruit training.

The Board rejected your contention to the effect that your enlistment was not fraudulent. It noted that on 10 November 1994, during a period of service in the Navy, you were diagnosed as suffering from a bipolar disorder and a personality disorder, not otherwise specified, with anti-social features. In addition, results of psychological testing conducted at that time indicates that you had significant feelings of depression, anxiety, agitation, withdrawal from others, and significant feelings of alienation. The fact that you no longer claim to have such symptoms is insufficient to demonstrate that either of the aforementioned diagnoses is erroneous, or that you are suitable or qualified for enlistment in the Armed

Forces.

In view of the foregoing, there does not appear to be any basis for correcting your 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