



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

CRS
Docket No: 9297-08
27 October 2008

[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 16 October 2008. 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.

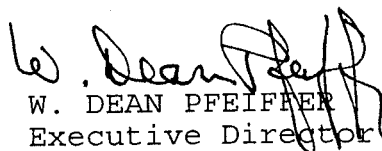
The Board found that you enlisted in the Navy on 15 June 2006. On 20 June 2006 you underwent a psychological evaluation and were given a diagnosis of a personality disorder. The evaluator also noted that you had suicidal thoughts and were bisexual. On 29 June 2006 you received an entry level separation by reason of erroneous entry and were assigned a reentry code of RE-4.

The Board noted that a reentry code of RE-3E or RE-4 may be assigned to a service member separated by reason of erroneous entry. A code of RE-4 is generally assigned in cases such as yours, where there is evidence of suicidal ideation and the enlistment is deemed erroneous because of the service member's admission of bisexuality.

The Board did not accept your contention to the effect that you had an altered state of mind as a result of a head injury you sustained prior to enlisting, which caused you to make false admissions of bisexuality and suicidal ideation. The Board was not persuaded that it would be in the interest of justice to assign you a more favorable reentry 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