



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

SJN
Docket No: 01286-09
11 December 2009

[REDACTED]

[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 8 December 2009. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 27 October 2004. Based on the information currently contained in your record, a medical report covering the period from 28 to 30 September 2005, states, in part, that you complained of having problems with anxiety, had frequent thoughts of suicide, you realized that you did not fit in well with the Navy, and were depressed, frustrated, anxious and feeling overwhelmed. You were diagnosed with an adjustment disorder with mixed anxiety and depressed mood. It appears you were notified of pending administrative separation action by reason of convenience of the government due to a condition, not a physical disability. You elected to waive the rights to consult counsel, or submit a statement. On 18 October 2005, you received an honorable discharge due to the diagnosed adjustment disorder. At that time, you were assigned an RE-4 reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, overall record, reference letters, and post service accomplishments. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your reenlistment code given the suicidal ideation and diagnosed mental condition. An RE-4 reenlistment code is routinely assigned under such circumstances. 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