



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

JRE
Docket No. 07504-09
27 August 2010

[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. You requested correction of your record to show, in effect, that you did not suffer from a personality disorder and that you were assigned a more favorable reentry code than RE-4.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 26 August 2010. 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.

You underwent a command directed mental health evaluation on 23 March 2007 and were given diagnoses of alcohol abuse-rule/out alcohol dependence, and narcissistic personality disorder. The latter condition was considered the primary diagnoses. In a report dated 26 March 2007, a Navy psychiatrist concluded that your personality disorder had been "a driving factor" in your "recent volatile weekend", which included extensive alcohol abuse, suicidal comments/gestures, and significant act of violence, to include the destruction of property in your home, shaking your girlfriend, and using furniture as a battering ram to escape from a locked in-patient psychiatry unit of Naval Hospital Guam. He concluded that you were not suitable for military service, and recommended that you be administratively discharged and placed in a no weapons status.

On 13 April 2007, after being advised of your proposed separation for the convenience of the government due to your personality disorder, and of your rights in connection therewith, you waived your right to consult with counsel, submit a written statement to the separation authority, request an administrative board, and representation before such a board by military or civilian counsel. In a letter dated 20 April 2007, the Commanding Officer, U.S. Naval Base Guam, notified the Navy Personnel Command, in part, that you had committed a number of violent and impulsive acts, to include the shaking and choking of your girlfriend and the brandishing of your personal firearm, and that the negative aspects of your conduct outweighed the positive aspects of your record. You were discharged under honorable conditions on 25 May 2007 for the convenience of the government by reason of a personality disorder, and assigned a reentry code of RE-4.

The Board carefully considered the statements and evidence you submitted in support of your application, but found those matters insufficient to demonstrate that you did not suffer from a personality disorder. The Board agreed with the separation authority's determination that the positive aspects of your service were outweighed by the negative, and it was not persuaded that it would be in the interest of justice to take any action that might facilitate your reenlistment. In addition, it concluded that Dr. Bassanelli's report does not demonstrate that the diagnoses you were given on 23 March 2007 are erroneous or unjust. The Board felt that Dr. Bassanelli's opinion was based in large part on his acceptance of your self-serving version of the events that prompted your discharge.

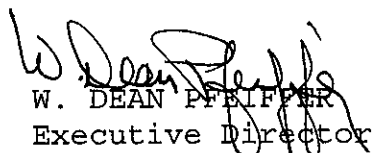
The Board did not accept your unsubstantiated contention to the effect that you were coerced into waiving your right to an administrative discharge board.

In view of the foregoing, 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