



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

SJN
Docket No: 08886-10
8 June 2011

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10, 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 7 June 2011. The names and votes of the members of the panel will be furnished upon request. 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 7 January 2002. The Board found that the record reflects that you were the subject of a psychiatric evaluation that diagnosed you with a personality disorder. A final evaluation stated, in part, that your diagnosis was sufficiently severe to impair your ability to function effectively in a military environment. Further, it was found that your diagnosis was not considered amenable to effective treatment and although you were not suicidal or homicidal, you represented a continued risk for deterioration in functioning or continued danger to yourself or others. Based on the mental evaluation, you were processed for separation due to the personality disorder. On 28 May 2002, after you were advised of your rights, you elected to receive copies of documents to be forwarded to the separation authority, but waived all your other procedural rights. Subsequently, on 1 July 2002 you were discharged with an uncharacterized entry level separation. At that time, you were assigned an RE-4 reentry code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and record of service. Nevertheless, the Board concluded that applicable regulations require the assignment of an RE-4 reentry code to individuals who are separated due to a diagnosed personality disorder. The Board thus concluded that there is no error or injustice in your reentry code. With regard to your contention that you were to be honorably discharged due to Post Traumatic Stress Disorder (PTSD), there is no evidence in the record to support it, and you submitted no such evidence. Further, Navy regulations do not allow the use of PTSD as a narrative reason for separation. Finally, with regard to your characterization of service, individuals separated within the first 180 days of active duty are discharged with an entry level separation. 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