



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

TJR  
Docket No: 11034-10  
4 August 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 2 August 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 on 23 June 1989 at age 20 and began a period of active duty on 12 June 1989. You served for about four months without disciplinary infraction, however, during the period from 22 to 29 November 1989 you were in an unauthorized absence (UA) status for seven days. The record does not reflect the disciplinary action taken, if any, for this misconduct.

On 30 November 1989, you were referred for an evaluation due to your suicidal ideation and substance abuse, both alcohol and marijuana; and complaints of being stressed out and depressed. After being hospitalized and undergoing a psychiatric evaluation, you were diagnosed with psychoactive substance abuse, chronic alcohol dependence, malingering (which was manifested by intentional exaggeration of psychological symptoms to avoid military duty) and a chronic antisocial personality disorder. The psychiatric report stated, in part, that you were clearly unsuitable for military service and not fit for sea duty. It further stated that you were competent and responsible for your

actions and should be held accountable for any malfeasance, and as such you should be prosecuted for malingering. You were also recommended for an expeditious administrative separation.

Subsequently, you were processed for an administrative separation by reason of convenience of the government due to your diagnosed personality disorder. The discharge authority directed discharge under honorable conditions by reason of other mental physical or mental condition as evidenced by the diagnosed personality disorder. On 3 January 1990, while serving in paygrade E-1, you were issued a general discharge and were assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to upgrade your discharge. It also considered your assertion that you suffered a service-connected trauma. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of your misconduct, unsuitability for further military service, and diagnosed personality disorder. Finally, there is no evidence in the record, and you submitted none, to support your assertion of a service-connected trauma. Accordingly, your application has been denied.

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