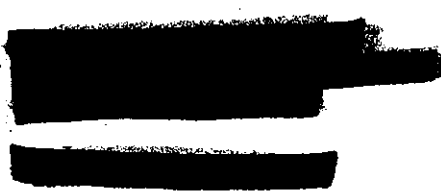




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TJR
Docket No: 438-11
21 October 2011



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 18 October 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 19 August 2003 at age 19, began a period of active duty on 5 August 2004, and served without disciplinary incident. However, on 17 August 2004, you were referred for a mental health evaluation due to your recurrent suicidal thoughts as evidenced by you squeezing a chain around your throat. The psychiatric report stated, in part, that you were depressed, felt hopeless, anxious, and socially withdrawn, and were experiencing poor concentration and low esteem. You were diagnosed with an adjustment disorder with mixed anxiety and a depressed mood, a condition that significantly impaired your ability to function effectively. You were recommended for and acknowledged an expeditious administrative separation. You were also advised that you were not recommended for retention and were ineligible for reenlistment due to the diagnosed psychological condition.

On 20 August 2004 you were notified of pending separation action by reason of convenience of the government due to the diagnosed physical or mental condition that was not a disability. At that time you did not object to the separation and waived your

procedural rights. On 30 August 2004 the discharge authority directed your commanding officer to issue an uncharacterized entry level separation and to assign an RE-4 reenlistment code, and on 7 September 2004, you were so separated.

The Board concluded that your nonrecommendation for retention, ineligibility for reenlistment due to the diagnosed physical or mental condition, specifically, an adjustment disorder, and the assignment of an RE-4 reenlistment code were administratively and procedurally correct. 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