



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

JRE  
Docket No. 01053-11  
4 November 2011

[REDACTED]

Dear [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 3 November 2011. 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 served on active duty in the Navy from 23 June 2003 to 15 October 2007, when you were discharged by reason of physical disability due to bipolar affective disorder. You were assigned a reentry code of RE-3P, which was the most favorable code authorized at that time for Sailors discharged by reason of physical disability. The Department of Veterans Affairs (VA) awarded you a 30% rating and substantial monthly disability compensation for bipolar affective disorder effective 16 October 2007.

The report of neurobehavioral evaluation you submitted in support of your application does not demonstrate that you were misdiagnosed with bipolar disorder, or that you were discharged from the Navy in error. The Board noted that the conclusions of the author of that report were based in large part on his acceptance of the unsubstantiated representations you made to him. In addition, he did not state that your condition had been misdiagnosed as a bipolar disorder.

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