



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

TRG
Docket No: 2978-99
14 September 1999

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 9 September 1999. 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.

The Board found that you enlisted in the Navy on 28 July 1998 at age 17. Subsequently, you were referred for a psychiatric evaluation because of difficulties in adapting to recruit training. The psychologist diagnosed you with attention-deficit/hyperactivity disorder, depressive disorder and personality disorder; and recommended separation from the Navy because of the disqualifying psychiatric condition.

Based on the psychologist's recommendation, you were processed for an administrative separation. In connection with this processing, you elected to waive your procedural rights. On 17 August 1998, the separation authority directed an entry level separation and you were so separated on 20 August 1998. At that time, you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

In reaching its decision, the Board noted the letter from a doctor you submitted which states that he could find no evidence of a psychiatric illness. The doctor recommends an upgrade in your discharge status. However, the Board believed that the doctor's letter was insufficient to overcome the psychiatric evaluation in the record in that it does not provide a basis for

his determination. The Board would expect to see a full psychiatric work up, including an analysis of the psychiatric evaluation done by the Navy, and psychiatric testing. This kind of presentation is needed so that the conflicting diagnoses can be fully evaluated.

Regulations allow for the assignment of an RE-4 reenlistment code when an individual is separated because of a diagnosed personality disorder and is normally assigned when an individual is separated while in recruit training. Since you have been treated no differently than others in your situation, the Board could not find an error or injustice in the assignment of the RE-4 reenlistment code.

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