



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

JRE
Docket No: 6102-00
28 February 2001

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 11 January 2991. 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 on 26 March 1999, the Physical Evaluation Board determined that you were unfit for further service because of multiple right ankle sprains and right knee patellofemoral pains syndrome, which were rated at a combined 20%. You Accepted those findings on 12 April 1999, and were subsequently discharged by reason of physical disability with entitlement to disability severance pay. You were assigned a reenlistment code of RE-3P, to indicate that you require a waiver of physical disqualification in order to reenlist.

The Board noted that your discharge was based, in large part, on your subjective complaints of chronic lower extremity pain. The fact that your symptoms have subsided and you are presently medically qualified for enlistment was considered insufficient to demonstrate that your discharge in 1999 was erroneous. 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