



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

JRE  
Docket No: 6435-01  
26 February 2002

[REDACTED]

[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 21 February 2002. 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 6 July 1972. You were discharged on 27 July 1972 pursuant to the approved findings of a medical board that you failed to meet the minimum physical standards for enlistment because of the residual effects of a knee injury you sustained in January 1972, which you failed to disclose when you underwent your pre-enlistment physical examination. You were advised of the findings and recommendation of the medical board, and declined to submit a statement in rebuttal thereto, or to demand an appearance before a physical evaluation board.

The Board did not accept your unsubstantiated contention to the effect that you met the minimum physical standards for enlistment, and that you became disabled during your 22 days of military service. It appears that the disqualifying condition was not noted by the physician who conducted your pre-enlistment physical examination because you failed to report your history of a knee injury, and the condition was quiescent at that time. It became symptomatic upon your entry on active duty and exposure to the rigors of training.

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