



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

JRE
Docket No: 6439-02
2 December 2002

[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 31 October 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 Marine Corps on 15 October 1953. On 23 December 1953, a board of medical survey gave you a diagnosis of cirrhosis of the liver, and recommended that you be discharged without entitlement to disability benefits administered by the Department of the Navy. The board's report indicates that you had reported a previously undisclosed history of "yellow jaundice" and "liver flare-ups", which you had experienced since 1946. You were discharged pursuant to the approved findings and recommendation of the board of medical survey on 12 January 1954.

The Board was not persuaded that the diagnosis you were given by the board of medical survey was erroneous, or that you were unfit by reason of a physical disability incurred in or aggravated by your brief period of service in the Navy. 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