



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

JRE  
Docket No. 05221-07  
4 February 2008

[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 25 January 2008. 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.

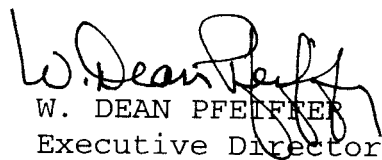
The Board found that you enlisted in the Navy on 8 January 2007. On 14 February 2007, you disclosed that you had suffered from chronic right knee pain since injuring the knee three years earlier while playing hockey, which you had failed to disclose when applying for enlistment. You stated that you could not complete the requirements of recruit training because of the knee pain. On 15 February 2007, you declined to apply for a waiver of the disqualifying condition in order to remain on active duty. Although Navy medical authorities initially thought that you had tibial stress fractures, that condition was

ultimately ruled-out, and you were given a diagnosis of chronic knee pain with flat feet. You were discharged from the Navy with an entry level separation on 12 March 2007.

As you have not demonstrated that you were unfit for duty by reason of physical disability that was incurred in or aggravated by your naval service, the Board was unable to recommend corrective action in your case. 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