

records that you were unable to reasonably perform the duties of your rank because of the effects of Reiter's syndrome or any other condition. Accordingly, and as there were no provisions of law for the disability retirement of enlisted service members prior to 1 October 1949, when the Career Compensation Act of 1949 became effective, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

If you believe that you are still suffering from residual effects of the Reiter's syndrome or any other condition that was incurred in or aggravated by your service in the Marine Corps, you should submit an application for disability benefits to the Department of Veterans Affairs (VA), which will expeditiously process your claims.

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



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

JRE
Docket No. 09177-07
12 September 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 4 September 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 although you were diagnosed with Reiter's syndrome in June 1946, you were considered fit for duty on 13 August 1946. You underwent a pre-separation physical examination on 26 August 1946 and were found physically qualified for separation. You were honorably discharged for the convenience of the government on 28 August 1946.

The Board was not persuaded that you were unfit for duty by reason of physical disability at the time of your discharge from the Marine Corps, as there is no indication in the available