



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

TRG
Docket No: 10627-07
1 July 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 17 June 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 record shows that you enlisted in the Navy on 27 February 1970 and served continuously after that date. On 1 March 1981 you were advanced to petty officer first class. You reenlisted in the Navy on 22 March 1985 for four years.

During the period from 1 January 1981 to 30 November 1988 you were evaluated on six occasions. All of the evaluations made comments concerning your excessive weight. The sixth evaluation for the period ending 30 November 1987 indicated you had 29% body fat, which is considered to be obese.

Based on your inability to meet the weight standards, you were processed for an administrative discharge which was approved by the discharge authority. The final performance evaluation indicated that your body fat percentage had increased to 31% and you were not recommended for reenlistment.

You were honorably discharged on 16 September 1988 by reason of other physical/mental conditions-obesity. At that time, you were credited with 17 years, 11 months and 24 days of active service.

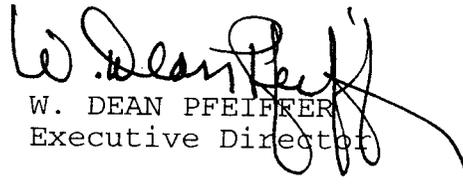
It was clear to the Board that given your many years of difficulties in meeting the weight standards that you were on

notice that you must meet the weight standards in order to continue in the Navy. Since you did not meet the standards, the Board concluded that you were properly discharged and a correction to your record to show that you retired from the Navy was not warranted.

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