



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

TRG  
Docket No: 10846-07  
20 August 2008

[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 12 August 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.

You enlisted in the Navy on 8 September 1992 at age 18. Subsequently, as indicated in the enclosed report of a medical board, you were diagnosed with a seizure disorder. Based on this diagnosis you were processed for an administrative separation. On 3 April 1993 you were honorably discharged by reason of a physical disability which existed prior to your enlistment in the Navy. At that time, you were assigned an RE-3P reenlistment code.

You contend, in effect, that the diagnosis must be in error because you have not had any seizures since your discharge. You desire a change in the reenlistment code so that you can be a musician in the Navy.

Regulations require the assignment of an RE-3P or an RE-4 reenlistment code when an individual is discharged due to a physical disability. An RE-3P code may be waived and enlistment authorized if you can demonstrate that the diagnosis was in error or that the condition no longer exists.

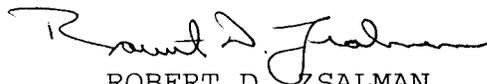
As indicated, the record shows that you had a seizure disorder

and were properly discharged from the Navy. Since you were properly discharged and have received the least restrictive reenlistment code authorized by the regulations the Board could not find an error or injustice in the assignment of the RE-3P reenlistment code. A copy of the medical documentation is enclosed.

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,



ROBERT D. ZSALMAN  
Acting Executive Director

Enclosure