



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

JRE

Docket No. 00626-08

16 October 2008



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 9 October 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.

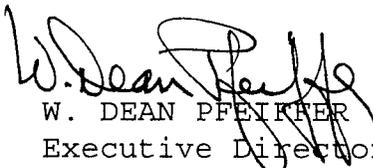
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you served on active duty in the Marine Corps from 23 January to 18 August 2006, when you were discharged for the convenience of the government due to a condition, not a disability, which interfered with your performance of duty. On 1 June 2007, the Department of Veterans Affairs (VA) denied your request for service connection for a pubic ramus stress fracture; however, on 28 January 2008, the VA reversed itself and granted your request for service connection for that condition. The VA assigned a 0% rating because there was no objective evidence of disability that would warrant a compensable rating.

The Board was not persuaded that you were unfit for further service by reason of physical disability at the time of your discharge. Although you suffered from a condition that interfered with your performance of entry level training, the available records do not demonstrate that condition was disabling. 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