



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

JRE  
Docket No. 03290-08  
1 April 2009

[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 26 March 2009. 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.

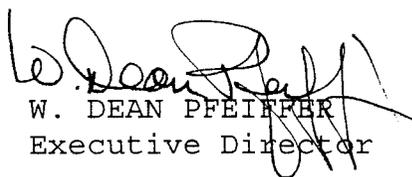
The Board found that you were discharged from the Navy on 20 November 2007 by reason of your failure to meet physical standards due to your overweight condition. Although you suffered from a number of medical conditions during your naval service, there is no indication in the available records that you were unfit for duty by reason of physical disability. It noted that metabolic syndrome is a syndrome characterized by a group of risk factors, and not a disability. Among the risk factors are abdominal obesity, blood lipid disorders, elevated blood pressure, and insulin resistance, all of which may be related to dietary indiscretion and resulting obesity, rather

than an underlying disease process. Your receipt of disability ratings from the Department of Veterans Affairs (VA) for multiple conditions is not probative of the existence of error or injustice in your record, because the VA assigned disability ratings without regard to the issue of the veteran's fitness for military service at the time of separation.

In view of the foregoing, 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