



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

JRE
Docket No. 06080-08
11 May 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 23 April 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 on 29 November 2006, a medical board gave you a diagnosis of Marfan syndrome. The medical report indicates that you had a family history of Marfan syndrome, a history of orthostatic episodes since age 15, surgically corrected pectus carinatum, arachnodactylity, limitation of motion of your elbow joints, and a round hole in your retina without detachment. On 19 January 2007, the Physical Evaluation Board made preliminary findings that you were unfit for duty due to Marfan syndrome, which existed prior to your enlistment and was not aggravated by your service. You accepted those findings on 5 February 2007, and you were discharged by reason of physical disability on 10 May 2007. You were assigned a reentry

code of RE-3P to indicate that you require a waiver of physical disqualification in order to become eligible for reenlistment.

As you have not demonstrated that you were discharged in error, and as your present reentry code is the most favorable code authorized for Sailors discharged by reason of physical disability, the Board was unable to recommend any corrective action in your case. 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