



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

JRE
Docket No. 06270-08
29 July 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 24 July 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.

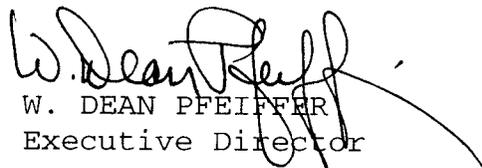
The Board found that you enlisted in the Marine Corps on 8 April 1957. ON 28 May 1957, a board of medical survey (BMS) determined that you were unfit for service because of symptomatic sickle cell anemia, which existed prior to your enlistment and was not aggravated by your naval service. The BMS recommended that you be discharged by reason of physical disability without entitlement to disability benefits administered by the Department of the Navy. On 28 May 1957, after being advised of the findings and recommendation of the

BMS, you waived your right to a hearing before the Physical Evaluation Board, and requested that you be administratively discharged as soon as possible, without entitlement to disability retirement or severance pay. You were discharged in accordance with your request and the approved recommendation of the BMS on 6 June 1957.

The Board did not accept your contention to the effect that you would have been retained on active duty if current disability standards been in effect in 1957. Accordingly, and as you have not demonstrated that you were discharged in error, 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