



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

JRE
Docket No. 12170-08
19 March 2009



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 5 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 reenlisted in the Marine Corps on 11 December 1971. You underwent a pre-separation physical examination on 26 April 1978, and were found qualified for separation; however, the physician who conducted the examination determined that you were not qualified for enlistment in the Marine Corps Reserve because of obesity. You were discharged from the Marine Corps on 10 May 1978. Despite the disqualifying condition noted during your pre-separation physical, you were permitted to reenlist in the Marine Corps Reserve on 11 May 1978 for a period of two years. You underwent a reenlistment

physical examination on 13 April 1980, and were noted to be overweight by twenty pounds, and have mildly elevated blood pressure. You were found not physically qualified because of your overweight condition. On 10 May 1982, you were honorably discharged by reason of expiration of obligated service.

Although you had mildly elevated blood pressure on 13 April 1980, you were within retention physical standards at that time, and would have qualified for reenlistment in the Marine Corps Reserve had you been within applicable weight standards. The Board could not find any indication in the available records that you were unfit to reasonably perform the duties of your office, grade, rank or rating because of hypertension or any other condition on the date of your discharge. 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