



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

JRE  
Docket No. 00335-09  
19 January 2010

[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 14 January 2010. 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.

You enlisted in the Navy on 3 February 1978. On 20 April 1982, the President, Physical Evaluation Board (PEB) notified the Chief of Naval Personnel that you had been found physically fit to perform the duties of your office, grade, rank or rating on active duty. On 2 May 1982, you acknowledged receiving a performance evaluation in which your reporting senior strongly recommended you for advancement to E-6 and retention in the Navy. You underwent a pre-separation physical examination on 23 August 1982. Although you disclosed an extensive history of illness and injury at that time, none of your conditions were considered disqualifying for further service or discharge, and you were found to be physically

qualified for release from active duty. You were voluntarily released from active duty on 21 September 1982 at the expiration of your active obligated service.

The Board found that you were fully qualified and recommended for reenlistment at that time, and could have reenlisted had you wanted to do so. In the absence of evidence which demonstrates that you were unfit to reasonably perform your duties at the time of your release from active duty, 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,

  
W. DEAN PFEIFFER  
Executive Director