



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

JRE  
Docket No. 01690-09  
3 August 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 July 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.

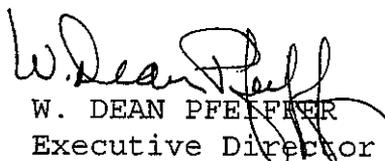
The Board found that you enlisted in the 5 November 1987. On 18 July 1988, a medical board determined that you suffered from bilateral pes cavus and pronation syndrome, which existed prior to your enlistment and were not aggravated by your service. It recommended that you be discharged without entitlement to disability benefits administered by the Department of the Navy. After being advised of the findings and recommendation of the medical board, you declined to submit a statement in rebuttal thereto. You were discharged on 1 October 1988 pursuant to the approved recommendation of the medical board. On 11 March 1997, the Department of Veterans Affairs denied your request for

service connection for your bilateral foot condition. The denial was confirmed on 24 September 2007.

As you have not demonstrated that your foot condition was incurred in or aggravated by your naval service, the Board was unable to recommend that your record be corrected to show that you were separated or retired by reason of physical disability with entitlement to severance or retired pay. As you never served outside of the United States, there is no basis for correcting your record to show that you participated in peacekeeping operations. 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