



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX  
WASHINGTON DC 20370-5100

Docket No. 01879-09  
13 April 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 9 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 you enlisted in the Navy on 20 April 1982. You were evaluated by a medical board on 4 May 1982 and given a diagnosis of bilateral leg pain that existed prior to your enlistment and was not aggravated by your service. You advised the medical board that you had a ten year history of bilateral calf pain with activity, which you had not disclosed when you applied for enlistment. You also stated that the Navy was "no place" for you. You were discharged by reason of erroneous enlistment on 7 May 1982, in accordance with the approved findings and recommendation of the medical board.

The Board rejected your unsubstantiated contention to the effect that you were discharged as a result of a traumatic injury you claim you sustained during your brief period of naval service. Accordingly, and as you have not demonstrated that you were unfit for duty because of a condition that was incurred in or aggravated by your service, 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