



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

JRE

Docket No. 12995-12

9 January 2014

[REDACTED]

Dear [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 January 2014. 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.

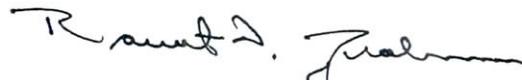
You were discharged from the Navy on 19 June 2012 by reason of your failure to conform to Navy body composition assessment standards. You were considered physically qualified for separation at that time, and you indicated in a Report of Medical Assessment completed in connection with your pre-separation physical examination that you did not suffer from any conditions

which limited your ability to work in your military specialty or required geographic or assignment limitations.

Your receipt of substantial disability ratings from the Department of Veterans Affairs (VA) effective the day following your discharge from the Navy was not considered probative of the existence of error or injustice in your naval record because the VA awarded those ratings without regard to the issue of your fitness for naval service. As you have not demonstrated that you were unfit for duty on 19 June 2012, the Board was unable to recommend favorable action on your request. Accordingly, your application has been denied. The names and votes of the panel members 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,



ROBERT D. ZSALMAN
Acting Executive Director