



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD BLDG 12, SUITE 1001
ARLINGTON, VA 22204-2490

JRE

Docket No. 3519-13

December 16, 2013

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 12 December 2013. 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.

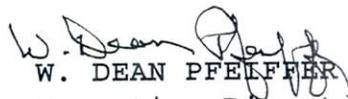
You served on active duty in the Navy from 9 January 2008 to 6 December 2009, when you were discharged for the convenience of the government due to a minor knee condition which, although not disabling, interfered with your performance of duty.

Your receipt of a disability rating from the Department of Veterans Affairs (VA) is not probative of the existence of error or injustice in your Navy record because the VA assigns ratings without regard to the issue of a veteran's fitness for military service at the time of separation from the service. As you have not demonstrated that your knee condition rendered you unfit by

reason of physical disability, the Board was unable to recommend favorable action on your request. 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