



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

JRE

Docket No. 600-13

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 entered on active duty in the Navy Reserve on 19 January 1968, at which time you disclosed that you had sustained two significant knee injuries prior to enlisting. On 17 July 1968 a medical board determined that you were disabled by internal derangement of your left knee which existed prior to your enlistment and was not incurred in or aggravated by your active service in the Navy Reserve. You apparently concurred with that

determination, as you waived your right to appear before a physical evaluation board, and requested that you be administratively discharged as soon as possible without compensation for your knee condition. Your request was granted, and you were discharged on 31 July 1968 without entitlement to disability benefits administered by the Department of the Navy.

In the absence of evidence which demonstrates that your disability was incurred in or aggravated by your naval service, 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