



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

TLG
Docket No: 6374-14
8 May 2015

[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 1 May 2015. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 24 June 1991. The Board found that you were counseled twice on failing the physical readiness test and placed on the remedial physical conditioning program. Further, you were counseled on three occasions regarding not meeting weight/body fat requirements, placed on a controlled weight/body fat reduction program, and warned that if you failed to comply with the controlled weight/body fat reduction program, administrative discharge action could be initiated. Unfortunately, you failed to meet the expected weight loss and administrative discharge action was initiated by reason of weight control failure. You did not object to the administrative processing and subsequently received a general discharge on 1 November 1996.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your desire to upgrade your discharge to honorable and your assertion that your physical readiness test failures were due to medical conditions sustained while on active duty. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your discharge given your failure to adhere to your command's physical readiness training program after three formal counselings. Accordingly, your application has been denied.

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 within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. In this regard, it is important to keep in mind that a presumption of applying for correction of an official naval record, the burden is on the applicant to demonstrate the existence of the probable material error or injustice.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. O'Neill", written in a cursive style.

ROBERT J. O'NEILL
Executive Director