



enlistment and which has not been aggravated by service. With full knowledge of the findings of the Medical Board and with knowledge of your rights in this matter, you hereby waived your rights to a hearing before a Physical Evaluation Board and request that you be administratively discharged from the naval service as soon as possible. You understood that you are not required to waive your rights and that you have signed this certificate voluntarily.

On 4 November 1980 the Chief, Bureau of Medicine and Surgery (First Endorsement on CMC letter MMSR-4/5 jqm of 27 October 1980) notified Commandant of the Marine Corps that based upon the available information, you were considered unfit for further Naval service by reason of a physical disability neither incurred in nor aggravated by active military service. It was therefore recommended that you be separated by reason of an EPTE physical disability since you waived your rights to a Physical Evaluation Board.

On 12 November 1980 the Commandant of the Marine Corps notified the Commanding Officer, █ that the recommendation of the medical board as concurred in/ modified by the Bureau of Medicine and Surgery is approved. Discharge this Marine by reason of physical disability authority MARCORSEPMAN, para.10104, and BUMED Instruction 1910.2G.

You were discharged with an honorable character of service and were issued a DD Form 214 for the period of 12 October 1979 to 2 December 1980 due to Physical Disability with Severance Pay—your separation code is listed as JFL1.

You requested that your financial records be reviewed to see if you are due separation pay. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that Block 26 (Separation Code) of your DD Form 214 lists JFL1 and block 28 (Narrative Reason for Separation) lists Physical disability w/Severance Pay. However, there is no indication in your record that you were entitled to severance pay. You were found unfit for further Naval service by reason of a physical disability neither incurred in nor aggravated by active military service, therefore, block 26 should list JFN1 and block 28 should list, “Physical Disability, without severance pay existed prior to service and not aggravated by service.” In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

1/19/2023

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Deputy Director

Signed by: █