



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

██████████
Docket No. 8186-23

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF ██████████ ██████████

██████████ USN, ██████████

Ref: (a) 10 U.S.C. § 1552

(b) USECDEF Memo, 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments

(2) Case summary

1. Pursuant to the provisions of reference (a), Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting his reenlistment code (RE Code) be changed to RE-1, or another code allowing for a waiver. Enclosures (1) and (2) apply.

2. The Board, consisting of ██████████, reviewed Petitioner's allegations of error and injustice on 13 October 2023, and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval service records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the U.S. Navy and began a period of active duty on 6 July 2007.

d. On 19 June 2007, prior to enlisting, Petitioner received a pre-service medical examination, during which his feet were assessed as of "normal arch," and "asymptomatic." During boot camp, he began experiencing foot pain, resulting in a 23 July 2007 visit to the base medical clinic. He was then referred to the Naval Hospital Podiatry Clinic (Podiatry Clinic), and ultimately diagnosed with Intractable Chronic *Plantar Fasciitis*. He was recommended for separation and, on 1 August 2007, he was notified of Administrative Separation Processing. He

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[REDACTED], USN, [REDACTED]

waived his rights to consult with counsel, to submit a written statement, and to request General Court-Martial Convening Authority (GCMCA) Review. He subsequently received an Entry Level Separation (ELS), under Separation Code JFW, (Failed Medical/Physical Procurement Standards), with Uncharacterized service, and re-entry code RE-4. He was discharged on 16 August 2007.

e. Petitioner contends the following error and injustice warranting relief: (1) The diagnosis of *plantar fasciitis* was in error, (2) he was made to wear shoes that were too narrow, which caused swelling and pain, (3) he made multiple requests for properly fitting shoes but was ignored, (4) the Navy Podiatrist instructed him to wear shoe inserts, which made the swelling and pain worse, resulting in the diagnosis of *plantar fasciitis* and his separation, (5) had he been allowed to wear properly fitting shoes, he would not have been separated, and (6) the resulting RE-4 code was an injustice.

f. Petitioner submitted a personal statement, Naval Personnel Records, current medical assessments from two civilian Podiatrists, and two advocacy letters.

CONCLUSION:

Upon careful review and consideration of all the evidence of record, the Board determined the Petitioner's request warrants relief. The Board relied on the current medical assessments which indicated the Petitioner did not, at the time of the assessments, have any ailments or diagnoses impacting his feet. Therefore, in the interests of justice, the Board determined a change to Petitioner's narrative reason for separation, separation code, and reentry code should be changed to reflect he suffered from a bilateral foot issue that did not amount to a disability.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

That Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215), to indicate a narrative reason for separation of Condition (Not a Disability), Separation Authority of "MILPERSMAN 1910-120," a Separation Code of JFV, and a reentry code of RE-3G.

A copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing

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[REDACTED], USN, [REDACTED]

corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

11/2/2023

[REDACTED]