



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 3992-97
20 May 1999



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 6 May 1999. 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.

The Board found that you served in the Navy from 6 to 21 March 1996, when you were discharged by reason of erroneous enlistment, with an entry level separation, because of your failure to meet procurement physical standards due to somatoform pain disorder. As you had not completed 180 days of continuous active service when discharge processing was begun, you did not qualify for an honorable discharge.

The Board carefully considered your contention and accompanying medical evidence which indicates that your pain may have been due to sciatic neuropathy resulting from an injection you received while on active duty, but found it insufficient to warrant any corrective action in your case. In this regard it noted that although it was the impression of your doctor that you had sciatic neuropathy, you did not submit the results of the electromyography and nerve conduction studies which would have confirmed or ruled-out that diagnosis. As you have not demonstrated that the diagnosis of somatoform pain disorder is erroneous or unjust, the Board was unable to recommend any corrective action in your case. 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