



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

JRE
Docket No: 4187-00
28 February 2001

[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 8 February 2001. 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 on active duty in the Navy from 6 December 1984 to 31 March 1985, when you were released from active duty and transferred to the Temporary Disability Retired List (TDRL) because of a mental disorder which rendered you unfit for duty. You were reevaluated on 1 October 1986, and your condition was found to be in remission. On 24 October 1986, the Physical Evaluation Board (PEB) determined that you remained unfit for duty, and that your condition was ratable at 10%. You were discharged by reason of physical disability on 13 January 1987, with entitlement to disability severance pay.

The Board noted that as you were not on active duty during the 1 April 1985-13 January 1987 period, you are not entitled to an addition DD Form 214, or amendment of the form you received on 31 March 1985. The Board concluded that in the absence of evidence which demonstrates that your condition should have been rated at or above 30% disabling on 13 January 1987, it 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