



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

**JRE**  
Docket No: 6406-02  
19 December 2002



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 12 December 2002. 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 enlisted in the Navy on 16 January 1967. You were wounded in action while serving in Vietnam on 14 August 1970, and were evacuated for medical treatment. You underwent a pre-separation physical examination on 30 September 1971. The examining physician noted that you multiple facial wounds, several missing teeth, and traumatic tatoos of the ears, face, neck eyelids, and legs, as well as multiple scars. He determined that you were fit for duty, notwithstanding those defects, and you were transferred to the Naval Reserve on 5 October 1971. While a member of the Naval Reserve, you completed two years of service qualifying for reserve retirement. You were honorably discharged on 15 January 1974.

The Board was not persuaded that you were unfit to perform your duties by reason of physical disability at the time of your discharge. As previously noted, you were found physically qualified for discharge, and completed two years of satisfactory service in the Naval Reserve following your release from active duty. It did not accept your unsubstantiated contention to the effect that you suffer from unspecified disabilities which are

reflected in "sealed records". 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