



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

JRE
Docket No. 06901-03
8 September 2003



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 5 September 2003. 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 were released from active duty on 29 December 1967, and transferred to the Temporary Disability Retired List (TDRL) the following day, with a disability rating of 30%. You were permanently retired by reason of physical disability effective 1 March 1972, with a 30% rating.

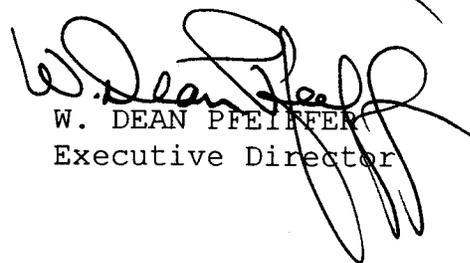
The Board was not persuaded that you should have been permanently retired on 30 December 1967, vice transferred to the TDRL. In addition, it noted that as the DD Form 214 is issued only upon a service member's release from active duty, you are not entitled to a DD Form 214 reflecting the removal of your name from the TDRL in 1972. The Board suggests that you attach

a copy of your permanent retirement orders to the DD Form 214 you were issued in 1967, to avoid any possible confusion over your present military status.

In view of the foregoing, 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,

A handwritten signature in black ink, appearing to read 'W. Dean Pfeiffer', is written over the typed name and title. The signature is stylized and cursive.

W. DEAN PFEIFFER
Executive Director