



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

JRE
Docket No. 10366-09
16 July 2010



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 9 July 2010. 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.

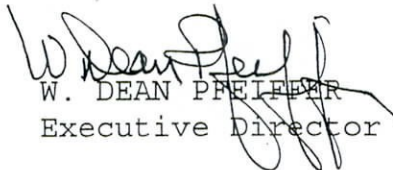
You enlisted in the Navy on 10 November 1997. On 4 December 2007, the Physical Evaluation Board (PEB) found you fit for duty notwithstanding your conditions of posttraumatic stress disorder, adjustment disorder, narcissistic personality traits, patellar tendonitis and back pain. You accepted the finding of fitness on 19 December 1997, and were honorably discharged for the convenience of the government on 8 February 2008 after waiving your right to appear before an administrative discharge board.

The fact that you suffered from several physical and mental disorders at the time of your discharge is not probative of the existence of error or injustice in your naval record. In the absence of evidence which demonstrates that you were unfit for duty by reason of physical

disability, rather than unsuitable for operational duty, 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