



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

SJN  
Docket No: 04292-09  
8 April 2010

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10, 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 30 March 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

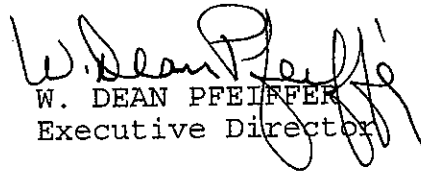
You enlisted in the Marine Corps and began a period of active duty on 7 November 1966 at age 18. On 21 November 1966, a medical board found that you had a lower left leg injury that existed prior to entry into the service and recommended that you be administratively separated from the service. The report further stated, in part, that you made a statement that you injured your leg in a motorcycle accident on the day you were to report for your induction physical, and later it was discovered that the wound had failed to heal. At that time, it was recommended that you be separated from the service. Based on the medical evaluation, you were processed for separation by reason of erroneous enlistment due to your pre-service injury. On 30 November 1966 you were honorably discharged.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and relatively short period of service. Nevertheless, the Board found that these factors were not sufficient to warrant changing

the reason for your discharge given the medical board's findings and recommendation. 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