



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

JRE  
Docket No. 11023-10.  
5 August 2011

[REDACTED]

[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 4 August 2011. 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 served on active duty in the Navy from 25 January to 15 February 2006, a period of 21 days, when you were discharged by reason of erroneous entry due to knee pain that existed prior to your enlistment.

Your record contains an entry dated 3 February 2006 in which you certified that your knee pain had existed prior to your enlistment, and that it was not revealed during your pre-entry physical examination. Other record entries indicate that you had injured your knee in a motorcycle accident at age 12, and that your knees had become increasingly painful as you increased your level of physical activity in preparation for your entry on active duty. The

available records do not demonstrate that that you were unfit for duty by reason of physical disability, vice temporarily not physically qualified for service, or that you sustained any significant trauma to your knees during your period of service.

In the absence of evidence which demonstrates that you were unfit for duty by reason of physical disability that was incurred in or aggravated by your naval service, the Board was unable to recommend favorable action on your request. 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