



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

JRE  
Docket No. 11455-10  
11 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 11 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.

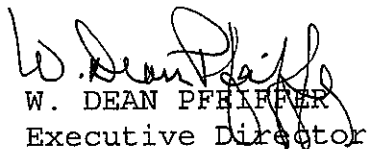
You served on active duty in the Navy from 26 June 1986 to 30 June 2006, when you were transferred to the Fleet Reserve. Thereafter, the Department of Veterans Affairs (VA) awarded you compensable disability ratings for low back strain, bilateral knee conditions, and tinnitus.

There is no indication in the available records that any of the conditions rated by the VA resulted from a specific combat-related event. The Board noted that the back condition was the result of an injury you sustained in a motor vehicle accident, and that the specific cause of the tinnitus has not been determined. The fact that your knees became painful while you were serving on a naval

vessel was considered insufficient to establish that the condition is combat-related, even though the vessel may have been "in harm's way" at that time. 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