



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

[REDACTED]  
Docket No: 5374-17  
JAN 02 2019

[REDACTED]

Dear [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. 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. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 October 2018. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record, and applicable statutes, regulations and policies.

You enlisted in the Navy on 3 September 1987. According to the information in your record, on 25 September 1987, you received an evaluation and were diagnosed with Antral Gastritis that existed prior to enlistment. As a result, you were referred to a Medical Evaluation Board (MEB). On 28 September 1987, the MEB determined you were unfit for military service and non-ratable due to Antral Gastritis that existed prior to enlistment. As a result of the foregoing, your commanding officer (CO) recommended an entry-level characterization of service due to Erroneous Enlistment/Enlistment in Error. The discharge authority approved this recommendation and directed an entry-level separation due to Erroneous Enlistment/Enlistment in Error that existed prior to enlistment. On 2 October 1987, you were discharged.

The Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to rebut the presumption, to include evidence submitted by the Petitioner, the Board presumes that you were properly discharged from the

Navy.

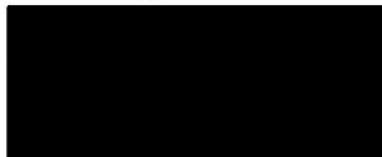
The Board carefully weighed all potentially mitigating factors, such as your desire to change your characterization of service, and your contentions that you were discharged due to a medical condition beyond your control and were prescribed medication that you were not allowed to take in the military. The Board, however, found that these factors were not sufficient to warrant changing your characterization of service. The Board noted that you were notified of your separation processing within 180 days of the beginning of your period of active service. Applicable regulations authorize an uncharacterized entry-level separation if the processing of an individual's separation begins within 180 days of the individual's entry on active service.

In regard to your contention that you were discharged due to a medical condition beyond your control, the Board noted that the record clearly shows that a MEB determined you were unfit for military service and non-ratable in the Navy due to Antral Gastritis that existed prior to enlistment. The Board also noted, at time of your discharge, you served a total of one month on active duty, which is less than the 180 days (six months) required to receive a general or honorable characterization of service.

In regard to your contention that you were prescribed medication that you were not allowed to take in the military, the Board noted that there is no evidence in your record, and you submitted none, to support your contention of being prescribed medication that you were not allowed to take in the military. The Board also noted that you failed to inform the military that you were prescribed such medication.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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 large black rectangular redaction box covering the signature of the Executive Director.

Executive Director