



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

JRE
Docket No: 7181-01
5 February 2002



Dear [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 17 January 2002. 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.

The Board found that you served on active duty in the Navy from 14 July 1989 to 15 December 1992, when you were discharged by reason of physical disability, and assigned a reenlistment code of RE-3P. The fact that your disability has been quiescent since your were discharged is insufficient to demonstrate that your discharge was erroneous. The Board noted that your reenlistment code is not an absolute bar to your reenlistment, because you may request a waiver of disqualification in order to become eligible to reenlist. If your condition remains quiescent, you may qualify for a waiver.

In view of the foregoing, the Board was unable to recommend that your discharge be modified, or that you be assigned a reenlistment code which would permit you to reenlist without first obtaining a waiver of your disabling condition. 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