



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

JRE

Docket No. 07564-07

1 July 2008

[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 26 June 2008. 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.

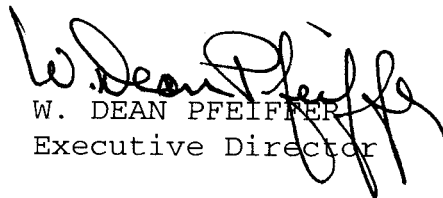
The Board found that you served on active duty in the Navy from 26 January 1968 to 3 October 1969, when you were released from active duty and transferred to the Navy Reserve. You were diagnosed with multiple sclerosis in 1990. You were honorably discharged from the Navy Reserve on 4 November 1991, as a result of being found not physically qualified for further service in the Navy Reserve due to the MS. On 9 November 2005, the Department of Veterans Affairs (VA) denied your request for service connection for the MS, which it independently determined was not incurred in or aggravated by your naval service.

The Board was not persuaded that there is a connection between the inoculations you received while a member of the Navy Reserve and the onset of the MS. Accordingly, and as you have not demonstrated that the MS was incurred in or aggravated by your service in the Navy Reserve, there is no basis for correcting your record to show that you were retired by reason of physical disability because of that condition.

In view of the foregoing, 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 matters 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