



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

JRE

Docket No. 02481-09

14 April 2010

[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.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 April 2010. 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 enlisted in the Navy on 22 May 1990. You underwent a pre-separation physical examination on 18 December 1990, and were found qualified for separation. You reported a history of frequent trouble sleeping and depression or excessive worry which you attributed to situational worry caused by your impending administrative discharge. On January 1991, you were discharged for the convenience of the government due to sleepwalking, a condition not considered to be a disability under the laws administered by the Department of the Navy. The

Department of Veterans Affairs denied your request for service connection for hypertension and sleepwalking on 4 June 1991.

In the absence of evidence which demonstrates that you were unfit to reasonably perform the duties of your rate by reason of physical disability, rather than unsuitable for service due to sleepwalking, the Board was unable to recommend any corrective action in your case. 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