



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

JRE
Docket No. 06208-09
14 August 2009



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 6 August 2009. 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 enlisted in the Marine Corps on 17 December 1970. It appears that your enlistment was fraudulent, in that you concealed your disqualifying history of treatment for a mental disorder. On 22 February 1971, a medical board gave you a diagnosis of schizophrenia that was not incurred in or aggravated by your service, and it recommended that you be discharged without entitlement to disability benefits. On 21 February 1971, after being advised of the findings and recommendation of the medical board, you requested that you be discharged as soon as possible without entitlement to disability

retirement or severance pay or any compensation whatsoever from the Department of the Navy. You were discharged in accordance with your request and the approved recommendation of the medical board on 9 April 1971. On 19 August 1977, the Veterans Administration denied your request for service connection for schizophrenia and a deviated nasal septum.

In view of the foregoing, and as you have not demonstrated that you were unfit for duty by reason of physical disability that was incurred in or aggravated by your brief period of service, 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