



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

JRE
Docket No. 05434-10
25 March 2011

[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 24 March 2011. 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.

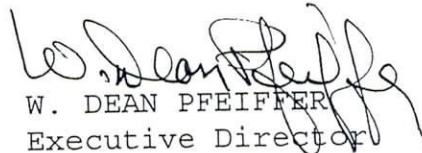
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You entered on active duty in the Marine Corps on 16 June 1972. On 29 July 1972 you reported a three year history of pain and swelling in your right knee. A medical board convened on 31 August 1972 and diagnosed your condition as internal derangement, right knee, existed prior to your enlistment. The medical board determined that you failed to meet the minimum standards for enlistment due to that condition, and recommended that you be discharged without disability benefits administered by the Department of the Navy. You were advised of the foregoing on 31 August 1972, and declined to submit a statement in rebuttal. You were honorably discharged on 8 September 1972 in accordance with the approved findings and recommendation of the medical board.

The Board carefully considered your contention that your knee was injured during your period of naval service, but found it unsubstantiated and insufficient to warrant correcting your record to show that your disqualifying knee condition was incurred in or aggravated by your brief period of service. 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