



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

CRS
Docket No: 7307-09
12 November 2010

[REDACTED]

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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 10 November 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.


The Board found that you enlisted in the Navy Reserve on 20 January 2005 after prior service in the Air Force Reserve and Army National Guard. On 3 December 2008 your commanding officer recommended that you be separated from the Navy Reserve with an honorable discharge by reason of physical fitness assessment (PFA) failure, based on three or more PFA failures in a four year period. On 4 December 2008 you were honorably discharged by reason of PFA failure.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your overall record of service and the unsubstantiated contention to the effect that you never received any discharge processing documents. The Board concluded that those factors were insufficient to warrant your reinstatement. 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