



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

JRE
Docket No. 10883-10
5 August 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 4 August 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 enlisted in the Marine Corps on 17 December 2007. It appears that your enlistment was fraudulent in that you procured it by wrongfully concealing your pre-service history of psychological disorders and treatment therefor. You were discharged by reason of physical disability on 30 March 2009, without entitlement to disability benefits administered by the Department of the Navy, pursuant to the approved findings of the Physical Evaluation Board that you were unfit for duty because of schizoaffective disorder which existed prior to your enlistment and was not aggravated by your naval service.

In the absence of evidence which demonstrates that the mental disorder that caused you to be discharged by reason of physical disability was incurred in or aggravated by your period of naval service, the Board was unable to recommend favorable action on your request. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board noted that the narrative reason for separation shown on your DD Form 214 is incorrect, as you were discharged by reason of physical disability vice personality disorder. You should contact Headquarters, U.S. Marine Corps, Deputy Chief of Staff for Manpower and Reserve Affairs, Separation Section, 3280 Russell Road, Quantico, Virginia 22134-5103, to request correction of your DD Form 214.

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