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DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

HD  
Docket No: NR2120-14  
20 November 2014



Dear Mr. 

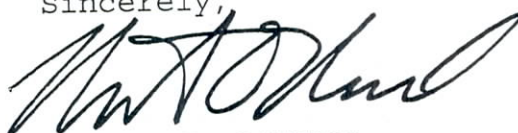
This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552. You requested removing your Physical Fitness Assessment failures from Cycles 1 and 2, 2013. You also requested reinstatement to active duty in pay grade E-8 or, if not reinstated, changing the reason for discharge from "Weight Control Failure" to "Retired or Medically Retired" with retirement in pay grade E-8 with a high three of greater than 18 years.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 20 November 2014. 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 and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinions furnished by the Office of the Chief of Naval Operations N170 dated 24 June and 24 September 2014, copies of which are attached. The Board also considered your letters dated 8 August and 13 November 2014 each with enclosures.

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. In this connection, the Board substantially concurred with the advisory opinions. 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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. 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,



ROBERT J. O'NEILL  
Executive Director

Enclosure