



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JRE

Docket No: 3933-98

4 May 1999

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 22 April 1999. 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 entered on active duty in the Marine Corps on 5 March 1968. You were diagnosed as suffering from a schizoid personality 3 December 1969, while serving in Vietnam, and you were medically evacuated because of that disorder. You underwent a pre-separation physical examination on 21 October 1970, and were found physically qualified for discharge. The schizoid personality was noted by the examining physician, but was not considered to be a disability under laws administered by the Department of the Navy. In any event, as you were discharged from the Marine Corps on 23 October 1970, by reason of unfitness, you would not have been entitled to disability evaluation even if you had suffered from a condition considered disabling by the Department of the Navy.

In the absence of evidence which demonstrates that your discharge was erroneous, and establishes that you were unfit by reason of physical disability at that time, the Board was unable to recommend any corrective action in your case. 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