



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

JRE
Docket No. 04078-03
8 September 2003



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 5 September 2003. 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 on 1 February 2002. You received nonjudicial punishment on 17 September 2002 for wrongful use of amphetamine on or about 6 August 2002. You were discharged from the Navy on 21 September 2002 by reason of fraudulent enlistment because of your concealment of pre-service drug abuse. You received a general discharge.

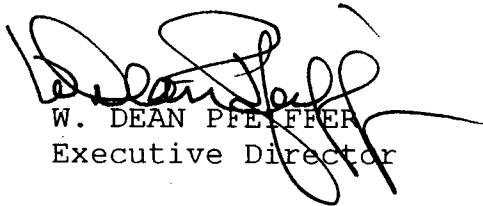
The Board rejected your unsubstantiated contention to the effect that you were unfit for duty by reason of physical disability at the time of your discharge from the Navy. In this regard, it noted that although you disclosed an extensive medical history on 20 September 2002, all of the conditions you disclosed were

either resolved or not considered disqualifying for further service or discharge. In addition, it noted that there is no indication in available records that your pre-service drug abuse was related to the use of thyroid medication, rather than illegal drugs.

In view of the foregoing, 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