



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

JRE
Docket No. 08477-07
21 November 2008

[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 14 November 2008. After careful consideration of your application, the Board concluded that your application was not timely filed, and that it would not be in the interest of justice to excuse your failure to submit your application in a timely manner. In this regard, the Board found that you were aware of the alleged errors and or injustices in your record in 1991, when you were discharged under other than honorable conditions without entitlement to disability benefits administered by the Department of the Navy. Due to the length of time which has elapsed since your discharge, it cannot be determined whether or not you would have been entitled to a notice of eligibility for disability benefits or if you would have been separated or retired by reason of physical disability had you not been discharged by reason of misconduct for failing to perform required duty with your unit.

You may request reconsideration of this decision. Your request must include newly discovered relevant evidence which was not reasonably available to you when you submitted your application. The evidence may pertain to the timeliness of your application

or to its merits. Absent such additional evidence, further review of your application is not possible.

It is regretted that a more favorable reply cannot be made.

Sincerely,


W. DEAN PFEIFFER
Executive Director