



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

JRE
Docket No. 09989-07
26 September 2008



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 25 September 2008. 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 underwent a pre-retirement physical examination on 24 May 1991, and were found physically qualified for retirement. You completed a Report of Medical History in connection with that examination, and denied suffering from depression or excessive worry, frequent trouble sleeping, and nervous trouble of any sort. You were released from active duty on 31 July 1991, and transferred to the Fleet Marine Corps Reserve. The Department of Veterans Affairs (VA) granted you

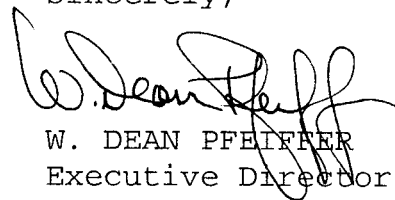
service connection for posttraumatic stress disorder and several other conditions on 9 July 1997.

Although you currently suffer from posttraumatic stress disorder and other disabilities, you have not demonstrated that you were unfit for duty by reason of physical disability when released from active duty. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

As you may be entitled to combat-related special compensation (CRSC) for posttraumatic stress disorder and other disabilities, you should consider submitting an application for CRSC to the CRSC Board, Secretary of the Navy Council of Review Boards.

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