



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

BAN  
Docket No. NR08292-13  
9 December 2014

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments  
(2) Navy Council of Review Boards (CORB) letter 5220 CORB:002 dated 29 Jul 2014  
(3) Petitioner's response to the CORB letter of 25 Aug 2014

1. Pursuant to the provisions of reference (a) Petitioner filed enclosure (1) with this Board requesting, in effect, that Petitioner's naval record be corrected to show that he received a disability rating of 30% from the Navy prior to his separation to receive a Medical Retirement vice a discharge on 30 Jul 2012.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 8 December 2014 and, pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that Petitioner's request warrants partial relief as described below.

#### CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3), the Board finds the existence of an injustice warranting the following partial corrective action.

RECOMMENDATION:

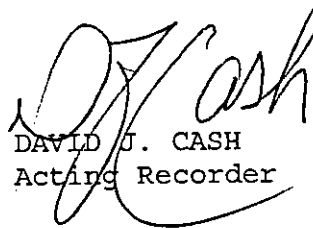
That Petitioner's naval record be corrected, where appropriate, as follows:

a. On 30 July 2012, Petitioner was discharged from the U.S. Navy with 20% disability rating vice 10% disability rating, now of record.

b. That so much of Petitioner's request for corrective action as exceeds the foregoing be denied; specifically that he receive a 30% disability rating from the Navy and be Medically Retired.


c. A copy of this Report of Proceedings be filed in Subject's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

  
DAVID J. CASH  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing partial corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

9 December 2014

  
ROBERT J. O'NEILL  
Executive Director