



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

JRE  
Docket No. 08410-08  
19 November 2009

[REDACTED]

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 5 November 2009. 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.

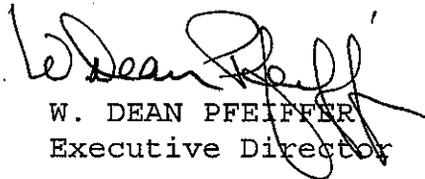
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Marine Corps on 10 December 1990. It appears that your enlistment was fraudulent, in that you concealed your history of attempting suicide on two occasions, and of feeling suicidal since the age of 10. You were honorably discharged on 15 April 1992 by reason of a personality disorder. On 18 July 2008 the Department of Veterans Affairs (VA) granted you a 30 percent disability rating for posttraumatic stress disorder effective 26 February 2007.

The Board concluded that while there is substantial evidence in the available records which demonstrates that you were unsuitable for naval service in 1992, the available records do not demonstrate that you were unfit for duty by reason of posttraumatic stress disorder or other ratable disability at that time. The fact that the VA awarded you a disability rating for posttraumatic stress disorder is not probative of the existence of error or injustice in your naval record because the VA awards disability ratings without regard to the issue of the veteran's fitness for military duty as of the date of separation from the service. 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