



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

JRE
Docket No. 05860-09
1 October 2010

[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 23 September 2010. 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. The Board concluded that you were aware of the alleged error or injustice in your record when you were discharged in 2001 without entitlement to disability benefits administered by the Department of the Navy.

In addition, the Board was not persuaded that you were unfit for duty because of a mental disorder that incurred in or aggravated by your naval service. In this connection, it substantially concurred with the enclosed rationale of the hearing panel of the Physical Evaluation Board that considered your case on 24 July 2001.

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

Enclosure