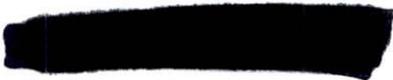
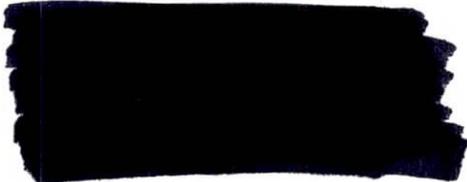




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No. 08643-10
19 May 2011



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, in which you requested correction of your record to show that you were retired by reason of physical disability due to the effects of posttraumatic stress disorder.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 May 2011. 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. In this regard, the Board concluded that your naval record does not contain any evidence which suggests that you were suffering from posttraumatic stress disorder when you were released from active duty on 25 June 2005. The fact that the Department of Veterans Affairs (VA) awarded you a disability rating for posttraumatic stress disorder effective from 28 July 2009 was not considered probative of the existence of error or injustice in your naval record because the VA made that award without regard to the issue of your fitness for duty four years earlier when you were 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.

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,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán".

ROBERT D. ZSALMAN
Acting Executive Director