



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

[REDACTED]  
Docket No. NR 3193-16  
JUN 11 2017

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 May 2017. 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. In addition, the Board considered the advisory opinion contained in Director, Secretary of the Navy Council of Review Boards ltr 5220 CORB: 002 of 3 Apr 2017; a copy of which was provided to you for comment.

A review of your record shows you entered service with the Navy as a Naval Academy Midshipman and commenced active duty in May 2006. You were diagnosed with depressive disorder and occupational problems in December 2009 but found fit for full duty. You were diagnosed with an anxiety disorder and prescribed medication in 2013 before being cleared for separation and transition to the Navy Reserve. On 17 March 2015, BUMED determined you were not physically qualified for retention in the Navy Reserve based on your history of anxiety, suicidal ideations, and Post-Traumatic Stress Disorder. However, you contested this determination with the Physical Evaluation Board and were found physically qualified for retention.

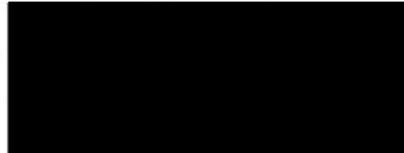
The Board carefully considered your arguments that you deserve a disability retirement based on the existence of conditions that led to BUMED's determination that you were not physically qualified for retention. Unfortunately, the Board disagreed with your rationale for relief. In making their findings, the Board substantially concurred with the advisory opinion contained in Director, Secretary of the Navy Council of Review Boards ltr 5220 CORB: 002 of 3 Apr 2017. Specifically, the Board was unable to find sufficient evidence to support a finding that you were unfit for continued naval service at the time you were released from active duty. The Board noted that after your release from active duty, you completed a Master's Degree in Aerospace

Engineering and were promoted to your current paygrade of O4. Both of these facts convinced the Board that you were not suffering from a substantial occupational impairment that required your referral to the Physical Evaluation Board. Additionally, the Board agreed with Director, Secretary of the Navy Council of Review Board's opinion that you likely would have been found fit for continued naval service had the Physical Evaluation Board considered your case. Accordingly, the Board was unable to find an error or injustice warranting a correction to your record and denied your application. The names and votes of the members of the panel will be furnished upon request.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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 large black rectangular redaction box covering the signature of the Executive Director.

Executive Director