



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

█  
Docket No. 5014-21  
Ref: Signature Date

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Dear █

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 28 October 2021. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record and applicable statutes, regulations, and policies.

A review of your record shows that you entered active duty with the Marine Corps Reserve in June 2004. After completing your initial training, you were released from active duty on 21 January 2005. On 27 February 2006, you were discharged from the Marine Corps Reserve after being determined not to be physically qualified for retention. You assert the Department of Veterans Affairs (VA) rated you for Major Depressive Disorder in March 2020.

The Board carefully considered your arguments that you deserve to have your narrative reason for separation changed to disability based on your March 2020 VA rating. Unfortunately, the Board disagreed with your rationale for relief.

In order for a Reservist to qualify for Disability Evaluation System processing and a disability discharge, there must be evidence that the service member incurred or aggravated their disability conditions during a qualifying period of active duty; a finding that is typically documented through a line of duty determination. In your case, the Board found no evidence in your record or application that supports a finding that you incurred or aggravated your Major Depressive Disorder while on active duty. Your assertion of a VA service connection was not persuasive

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evidence when weighed against the lack of any documentation in your military record to support a similar finding. Accordingly, the Board found insufficient evidence of error or injustice to warrant a change to your record.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

11/2/2021

[REDACTED]

Deputy Director

[REDACTED]