



employment due to depression symptoms from December 2020 through March 2021. You were later discharged from the Navy Reserve on 27 Feb 2021 at the end of your obligated service.

The Board carefully considered your arguments that you deserve to be placed on the disability retirement list for your mental health symptoms, Irritable Bowel Syndrome, and Right Hip condition. You argue that the PEB erroneously determined you were fit for continued service despite medical evidence to the contrary. Unfortunately, the Board disagreed with your rationale for relief.

In reviewing the evidence in your case, the Board concluded the preponderance of the evidence supports the PEB findings in your case. Specifically, the Board determined you were, more likely than not, fit for continued service after the PEB found you fit based on your return to duty status on 9 January 2019. Further, the Board noted that you were medically qualified to reenlist on 21 February 2019. In the Board's opinion, this was strong objective evidence that you were capable of performing the duties of your office, grade, rank or rating after being found fit by the PEB. Therefore, the Board affirmed the previous Board's decision to deny your request for disability retirement benefits based on the same rationale. 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,

11/22/2021

[Redacted signature block]

[Redacted line]

Deputy Director

Signed by:

[Redacted name]