



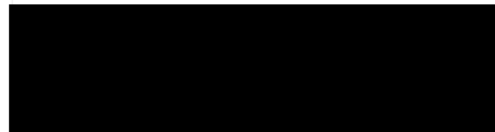
Violation of Article 111, Drunken or Reckless operation of a vehicle, aircraft or vessel for driving while under the influence of alcohol (DWI). The Board noted that as a result of your DWI, you received a Commandant of the Marine Corps directed (DC) adverse fitness report on 22 December 2008 and adverse 6105 (Page 11) counseling entry on 29 December 2008. The Board further noted that the fitness report indicated that you had been arrested twice for alcohol related incidents during the reporting period. Based on this evidence, the Board concluded you were properly denied reenlistment. Further, the Board found insufficient evidence that comments related to your reenlistment were false. Based on the proper denial of reenlistment, the Board found no basis to grant you service credit for retirement. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

With regard to your request for VA benefits related to your PTSD, the Board determined this was a matter outside its purview and statutory authority. VA eligibility determinations for health care, disability compensation, and other VA-administered benefits fall under the statutory authority of the VA and not the Department of Navy. Therefore, any questions regarding VA eligibility for disability benefits should be addressed to the nearest regional VA center.

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,

10/3/2022

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Executive Director

Signed by: 