



In your petition, you state that you were retired from the Navy Reserve for medical reasons, but you were not placed on the Temporary Disability Retired List (TDRL) or the Permanent Disability Retired List (PDRL). You state that you wish to have a disability retirement.

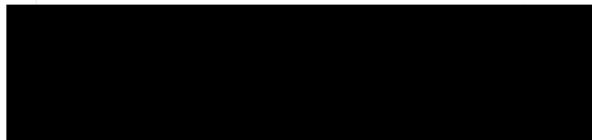
In review of the entirety of your naval service record, and your petition and its enclosures, the Board disagreed with your rationale for relief. The Board reached its decision based on the fact that you were in the Navy Reserve, and there is no indication that you were injured in the Line of Duty, nor is there any indication that you filed for any Line of Duty Benefits (LODB). In addition, the Board did not find any LODB findings in your available service record documents.

With respect to the finding that you provided from the U.S. Department of Veterans Affairs (VA), the Board observed that such findings from the VA for service connected disability conditions do not necessarily demonstrate that these conditions would entitle you to disability retirement because (1) eligibility for compensation and pension disability ratings by the VA is tied to the establishment of service connection and is manifestation-based without a requirement that unfitness for military duty be demonstrated, and (2) as mentioned above, as a Navy Reservist with no Line of Duty findings and thus no connection made between a specific injury while you were on active duty, there is no entitlement to military disability benefits. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

9/15/2022



Executive Director

Signed by:

