



error. In reaching its conclusion, the Board also determined that the presumption of regularity applied to the process employed with respect to your physical condition at your time of service. You did not provide any documentation that was contemporaneous to your time in service demonstrating that there was any error in the Physical Evaluation Board's assessment of your condition during your time in service. In addition, the Board noted you did not provide any medical records. Further, to the extent you assert that the VA's later findings relating to your service connected disabilities provide evidence of your unfitness during service, the Board noted that such findings from the VA for service connected disability conditions did not persuade the Board these conditions were unfitting at the time of your discharge from the Marine Corps since 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. The Board further observed that the VA documentation that you provided demonstrates the effective date of the majority of your service connected ratings were well after your discharge from the Marine Corps. In light of all of the foregoing, the Board did not find an error or injustice in your naval record, and it denied your requested 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,

7/19/2022

