



In your petition, you request that you be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) that reflects that you were retired based on your years of service and not that you were transferred to the TDRL. In support of your request, you contend that you were placed on permanent limited duty until your retirement date and that you should have received a DD Form 214 that reflected your retirement.

The Board carefully reviewed all of your contentions and the material that you submitted in support of your petition, and the Board disagreed with your rationale for relief. After careful review, the Board was unable to discern any error or injustice in your record. To the contrary, the DD Form 214 that you received accurately reflects your decision to accept the PEB findings in your case to be transferred to the TDRL. Absent evidence that you subsequently turned your disability retirement, the Board determined insufficient evidence of error or injustice exists with your record. 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,

