



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

██████████
Docket No. 10476-23
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER ██████████, USN,
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) Official Military Personnel File

Encl: (1) DD Form 149 w/attachments

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her naval record be corrected by directing that she be returned to the temporary disabled retired list (TDRL).

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 18 January 2024, and pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. According to the reference (b) official military personnel file, Petitioner was commissioned in the Navy and commenced active duty on 11 May 2018. On 28 May 2020, Petitioner was placed on the TDRL due to Major Depressive Disorder with a rating of 50%. In or about May 2023, Petitioner was administratively removed from the TDRL.

c. In order to assist it in reviewing Petitioner's request, the Board obtained a review of applicable documentation from the Physical Evaluation Board (PEB), which included a review of interval documentation relating to Petitioner from the Department of Veterans' Affairs (VA). According to the review of applicable documentation, Petitioner's condition is materially unchanged from when she was placed on the TDRL, is of a permanent nature, and is stable for ratings purposes. Therefore, Petitioner's condition remains unfitting and precludes her from future military service.

Subj: REVIEW OF NAVAL RECORD OF FORMER [REDACTED], USN,
XXX-XX-[REDACTED]

CONCLUSION

In light of the review of the Petitioner's record by the PEB, the Board determined that the rating percentage associated with the unfitting condition is finalized consistent with rating issued at the time of her placement on the TDRL. Thus, the Board concluded that Petitioner should be placed on the permanent disability retired list (PDRL) effective the date that she was removed from the TDRL as described in Recommendation below.

RECOMMENDATION

In view of the above, the Board directs the following corrective action.

That Petitioner be placed on the PDRL effective the date that she was removed from the TDRL for the following conditions:

MAJOR DEPRESSIVE DISORDER, SINGLE EPISODE, MODERATE, DC 9434, rated at 50%

Non-CZ/Non-CR

The Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine Petitioner's pay entitlements.

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

2/9/2024

