




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


Docket No. 6247-17
FEB 05 2018



Dear 

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 11 January 2018. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies.

A review of your record shows you entered active duty with the Marine Corps in January 2007. You suffered a psychotic breakdown during an Individual Training Course at MARSOC in July 2010. This resulted in a medical board diagnosis of Psychotic Disorder on 27 October 2010 with a referral to the Physical Evaluation Board (PEB). The PEB found you unfit for continued naval service due to Psychotic Disorder and rated your condition at 50%. You were transferred to the Temporary Disability Retirement List on 30 July 2011 and underwent two Periodic Physical Examinations before the PEB determined you should be placed on the Permanent Disability Retirement List (PDRL). On 1 April 2015, you were placed on the PDRL with a 30% disability rating for your psychotic disorder.

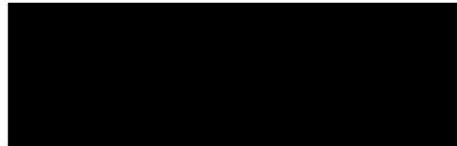
The Board carefully considered your arguments that your narrative reason for separation should be changed to allow you to reenlist in the Marine Corps. You assert that you were incorrectly diagnosed and treated while on active duty. Additionally, you claim that you have a history of improvement. Unfortunately, the Board disagreed with your rationale for relief. First, the Board was impressed with your desire to return to active duty and wanted to express their gratitude for your previous Honorable service. However, they felt it was inappropriate to overrule the PEB's decision without medical evidence that your condition was incorrectly diagnosed and treated. The medical evidence relied upon by the PEB was convincing to the Board that you suffered a substantial occupational impairment due to your diagnosed psychotic disorder. Second, the

Board noted that your reentry code is a waivable code that allows the Department of the Navy to accept you back into the Marine Corps should the medical evidence support a waiver. The Board felt you should provide the Marine Corps evidence that your condition no longer exists in an attempt to reenlist before having this Board reconsider your case. This would allow the Board to examine the actions of the Department of the Navy, and the most recent medical evidence in your case, should your request to reenlist be denied. Accordingly, the Board was unable to find an error or injustice warranting a correction to your record and denied your application.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously 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,

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director