



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

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Docket No. 1749-24
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552.

Your application was not filed in a timely manner. A three-member panel of the Board, sitting in executive session, considered your application on 8 August 2024. In your application, you requested that your rating for a cervical condition be reviewed and adjudicated so that you are placed on the permanent disability retired list (PDRL) and that your migraine condition be added to your PDRL rating. In support of your request, you argued that the Physical Evaluation Board (PEB) erred in its evaluation of your medical conditions in 1994. You explained that your application was untimely because you were not aware of these errors until a year and a half ago and that you were not properly counseled on your rights before PEB. In reviewing your application, the Board observed that you did not provide a sufficient basis to excuse your failure to submit your application in a timely manner. Thus, the Board determined your request should be denied due to the length of time since the determination of the reason and basis of your discharge.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

8/22/2024

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