



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

█
Docket No. 1924-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █, USN,
█

Ref: (a) Title 10 U.S.C. § 1552
(b) Official Military Personnel File
(c) Pers-95 Status Report re: Petitioner

Encl: (1) DD Form 149 w/attachments

1. Pursuant to the provisions of the reference, Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that the Board direct that she be reviewed by a periodic physical examination (PPE) in order to be found fit to serve in the Navy.
2. The Board, consisting of █, and █, reviewed Petitioner's allegations of error and injustice on 11 July 2024 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of naval records, 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, found as follows:
 - a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.
 - b. A review of Petitioner's reference (b) Official Military Personnel File (OMPF) reveals that she enlisted in the Navy and commenced a period of active duty on 13 July 2015. On 27 April 2020, Petitioner was placed on the temporary disability retired list (TDRL). The Board noted that Petitioner's OMPF does not contain information relating to her review by the Physical Evaluation Board, and she did not provide such information. Thereafter, Petitioner was administratively removed from the TDRL. Reference (c) reflects Petitioner was removed from the TDRL in September 2023.
 - c. In her petition, Petitioner requests to be reviewed by a Periodic Physical Examination (PPE) so that she can be found fit and return to active duty. In support of her request, Petitioner asserted that she was removed from the TDRL without receiving a final PPE.

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[REDACTED]

CONCLUSION

In its review of the entirety of Petitioner's materials as described above, the Board determined it was in the interest of justice Petitioner to restore Petitioner to the TDRL in order to be reviewed by a PPE.

RECOMMENDATION

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

Petitioner shall be returned to the Temporary Disability Retired List, effective 12 September 2023, for the sole purpose of conducting a final periodic physical examination so that the Physical Evaluation Board may make a final determination of Petitioner's disability status in accordance with Title 10, United States Code. Petitioner will be afforded all due process rights for individuals within the Disability Evaluation System in connection with her review by the Physical Evaluation Board.

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

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.

8/2/2024

