



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

██████████
Docket No. 1044-25
Ref: Signature Date

██████████
██████████
██████████

Dear ██████████,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 27 August 2025. 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, as well as the 9 June 2025 advisory opinion (AO) provided by the Licensed Clinical Psychologist (LCP) and your response to the AO.

The Board determined that a personal appearance with or without counsel would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to change your retirement grade to Lieutenant Colonel (LtCol/O-5). The Board considered your contention that it was your impression that you would retire as a LtCol and receive a pension commensurate with that grade. Due to your physical disabilities and Post Traumatic Stress Disorder (PTSD) you decided it was in your best interest and your family to retire. You claim that you would have continued to participate long enough to meet the requirements, had you known. As new evidence, you provided documents to prove you had serious health issues at your last duty station.

To assist in reviewing your petition, the Board obtained the LCP AO. According to the AO, which was considered unfavorable to your request, there is insufficient evidence of a diagnosis of PTSD or another mental health condition that may be attributed to military service. The LCP

opined that there is no evidence that you were diagnosed with a mental health condition in military service, or that you exhibited any psychological symptoms or behavioral changes indicative of a diagnosable mental health condition. In response to the AO, you provided a statement, medical documents, and correspondence indicating that you sought mental health counseling in 1992 and again several years after your retirement.

The Board, however, substantially concurred with the AO and upheld the decisions by the previous Boards. In this regard, the Board noted that you failed to meet the minimum participation requirements to make any of your anniversary years as a LtCol satisfactory towards retirement. In July 1995, you requested and were approved for a waiver for failure to meet required points for the anniversary year because you were working full-time and a full-time graduate student. After notification that you would be transferred to the Inactive Status List, you requested transfer to the Retired Reserve. The Board also noted that you denied any mental health symptoms during your separation physical in April 1993. Despite your new evidence, the Board concurred with the AO that there is insufficient evidence of a mental health condition in military service, or that you exhibited any psychological symptoms or behavioral changes indicative of a diagnosable mental health condition. Moreover, the Board found no evidence of a physical disability or mental health condition that would have contributed to your failure to meet the minimum participation requirements for your rank. In reaching its decision, the Board relies on a presumption of regularity to support the official actions of public officers, in the absence of substantial evidence to the contrary, the Board will presume that they have properly discharged their official duties. The Board found your new evidence insufficient to overcome this presumption. The Board thus concluded there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

9/18/2025

