

## DEPARTMENT OF THE NAVY

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

> Docket No. 2409-25 Ref: Signature Date



## 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 10 April 2025. In your application, you requested to change block 28 of your Certificate of Release or Discharge from Active Duty (DD Form 214) to reflect "disabled, permanent." You contend that your Department of Veterans Affairs (VA) rating decision dated 15 December 2011, which used your exams that occurred prior to retirement to calculate a 100% VA disability rating effective the date after you retired, warranted a disability retirement. In reviewing your application, the Board, noting you were transferred to the Fleet Reserve on 31 March 2011, observed you recently discovered that you are not protected as a disabled veteran per your agency human resources department. The Board, however, determined you did not provide a sufficient basis to excuse your failure to submit your application in a timely manner, and concluded your request should be denied due to the length of time since your retirement.

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, 4/17/2025