



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

Docket No. 5879-25
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 24 June 2025. You contend it would be in the interest of justice to excuse your failure to submit your application in a timely manner because, according to DoDI 1332.18 and Title 10, the Navy's determination that your condition was "not a disability" contradicts both your ratings from the Department of Veterans Affairs (VA) and the nature of your separation. You further argue that you believe you were wrongfully denied retirement despite over 14 years of honorable service and multiple qualifying disabilities. After careful and conscientious consideration, the Board determined that these were insufficient reasons to find it in the interest of justice to excuse your failure to submit your application in a timely manner. In reaching its decision, the Board determined your request should be denied due to the length of time since your discharge from the Navy. Finally, notwithstanding the untimeliness of your petition, with respect to your assertions concerning the nature of your VA findings, the Board determined it was appropriate to inform you that the VA and the service disability retirement systems are different programs administered by different entities for different purposes. Notably, the VA assigns disability ratings to conditions that it determines have been incurred in the line of duty, but it does so without regard to the issue of fitness to perform duty. Thus, service connection findings by the VA do not dictate unfitness for naval service, which findings are the responsibility of the naval service.

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,

7/8/2025