DEPARTMENT OF VETERANS AFFAIRS
VA Regional Office
640 Fourth Avenue
Huntington, WV 25701

Galen K. Rogers

VA File Number
[redacted]

Represented by:
AMVETS

Rating Decision
September 2, 2008

INTRODUCTION

The records reflect that you are a veteran of the Peacetime and Gulf War Era. You served in the Navy from June 11, 1975 to May 22, 1979 and from March 10, 1988 to February 29, 2000. You filed a new claim for benefits that was received on January 1, 2008. Based on a review of the evidence listed below, we have made the following decision on your claim.

DECISION

Service connection for sleep apnea (to include symptoms of fatigue, tiredness, irritability and headaches) is denied.

EVIDENCE

- Report from Mary Washington Hospital dated August 22, 2007.
- Reports from Stafford Primary Care Associates dated July 19, 2007 to December 27, 2007.

- Service treatment records for the period June 11, 1975 to February 29, 2000.

REASONS FOR DECISION

Service connection for sleep apnea (to include symptoms of fatigue, tiredness, irritability and headaches).

Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. Service connection for sleep apnea (to include symptoms of fatigue, tiredness, irritability and headaches) is denied since this condition neither occurred in nor was caused by service.

The service treatment records are negative for any findings, treatment or diagnosis of sleep apnea while in service. The service treatment record indicating complaints of fatigue, irritability and headaches are isolated complaints and not probative. The first indication was well after your discharge from military service. Likewise, there is no medical evidence to attribute your sleep apnea to your military service or to any exposure while in service. Given these findings the claim for service connection for sleep apnea must be denied.

REFERENCES:

Title 38 of the Code of Federal Regulations, Pensions, Bonuses and Veterans' Relief contains the regulations of the Department of Veterans Affairs which govern entitlement to all veteran benefits. For additional information regarding applicable laws and regulations, please consult your local library, or visit us at our web site, www.va.gov.