



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

CRS
Docket No: 2801-00
15 October 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 3 October 2001. 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, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that on 27 October 1947 you enlisted in the Marine Corps Reserve. You reenlisted on 7 January 1950 and were recalled to active duty on 31 August 1950. On 3 October 1951 you were accidentally and seriously wounded when a .45 caliber pistol discharged. A physical evaluation board found you unfit for duty on 23 January 1952. You were honorably discharged on 29 February 1952 by reason of physical disability retirement.

On 26 July 1990 you were informed by Headquarters Marine Corps that you were not eligible for the award of the Purple Heart based on the accidental discharge of a weapon.

After careful and conscientious consideration of the entire record, the Board found no evidence that would support your claim for an award of the Purple Heart. In this regard, in order for an individual to be eligible for the Purple Heart, one must be wounded by hostile action. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director