



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

ELP  
Docket No. 6016-01  
8 February 2002

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 Navy Records, sitting in executive session, considered your application on 6 February 2002. 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.

You enlisted in the Marine Corps Reserve on 15 July 1943 to serve for the duration of the national emergency. The record reflects that you were advanced to CPL (E-4) on 1 June 1944. The medical record reflects that on 10 July 1945 you suffered a gunshot wound to the heel of your left foot when a gun that was leaning against the side of your tent discharged when it was blown over by the wind.

The record further reflects that you were promoted to SGT (E-5) and were honorably discharged on 22 May 1946.

The Navy and Marine Corps Awards Manual provides that in order to be eligible for the Purple Heart Medal, an individual must have been wounded as a direct or indirect result of enemy action. The Board conducted a careful search of your record for any evidence which would show that your injuries resulted from such action. However, the medical record clearly indicates your injuries were

accidental. Therefore, your injuries do not meet the criteria for the award of the Purple Heart Medal. 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