



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

CRS  
Docket No: 6662-01  
20 March 2002

[REDACTED]

[REDACTED]

This is in reference to your application on behalf of your late husband 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 20 March 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 former husband's naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Awards Branch, Headquarters Marine Corps dated 12 February 2002, a copy of which is attached.

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. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. 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

Enclosure



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
3280 RUSSELL ROAD  
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1650  
MMMA-3  
12 Feb 02

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

SUBJ: REQUEST FOR ADVISORY OPINION IN THE CASE OF [REDACTED]  
[REDACTED], FORMER MARINE

1. During the period [REDACTED] served in the Marine Corps, the Purple Heart was authorized for award to those who were wounded or injured as a direct result of action by an enemy of the United States or an opposing armed force of a foreign country in which the Armed Forces of the United States was engaged.

2. Regrettably, a review of his records and the records at this Headquarters fails to reveal any documentation to substantiate his entitlement to the Purple Heart award. Therefore, it has been determined that he is not entitled to the Purple Heart.

3. Since there is no indication in his records that he was injured under conditions, which would qualify him for the Purple Heart award, regulations require that eyewitness statements be obtained. The eyewitness statements can be from the medical personnel who treated him in the field or two other personnel who were present at the time he was injured. Statements should contain the time, place, medical attention received, and verification that the injury was a direct result of enemy action. If the above information can be provided, further consideration will be given to her request.

4. This Headquarters does not maintain a listing of former Marines and their addresses. However, a listing of the officers and enlisted Marines who were assigned to his former unit may be obtained by requesting copies of the unit rosters for the period in question from the following address:

Director  
History and Museum Division  
901 M Street, SE.  
Washington Navy Yard, Building 58  
Washington, DC 20374-0580

5. Should the names of former Marines that were eyewitness to his injury be obtained, assistance may be requested in locating them from the below listed organization:

Mail Call Editor  
Leatherneck Magazine  
P.O. Box 1977  
Quantico, VA 22134  
Telephone: 1-800-336-0291  
E-Mail: [leatherneck@mca-marines.org](mailto:leatherneck@mca-marines.org)

6. Point of contact is

