



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

CRS
Docket No: 7704-02
19 December 2002

[REDACTED]

[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 11 December 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. In addition, the Board considered the prior letter to you from the Retired Records Section, Navy Personnel Command dated 18 January 2001, 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 letter. 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

1650
PERS313E/PWW&MEDS
SSN#6459877
18 January 2001

Honorable [REDACTED]

Attn: A [REDACTED]

20 [REDACTED]

C [REDACTED]

Dear Mr. [REDACTED]

This is in response to your letter on behalf of [REDACTED] concerning the eligibility of the Purple Heart Medal.

In order to maintain the prestige and integrity of awards the Secretary of the Navy established the following criteria. The Purple Heart Medal is authorized for award to members who are wounded or injured as a direct result of action by the enemy of the United States. Regulations also require written documentation of a wound, showing the date and nature of wound and medical treatment received.

A review of available personnel and medical records fail to document that [REDACTED] was ever wounded or injured under the conditions for which the Purple Heart can be authorized. In the absence of any written documentation, [REDACTED] has the option to provide two sworn affidavits from eyewitnesses who can attest to the circumstances surrounding the incident.

We realize this response may disappoint Mr. [REDACTED] but in no way does it lessen his contribution during his service to our country.

If further information or assistance is required, please feel free to contact this office directly at (314) 538-3135, ext. 8875.

Sincerely,

[REDACTED]
Head, Retired Records Section

*Response after 2nd
request*

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