



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

JRE
Docket No. 07183-07
22 August 2008

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552. You requested correction of your DD Form 214 to reflect the actual dates of your two periods of service in Vietnam. In addition, you requested correction of your health record to show that you had hernia, and received a shrapnel wound to your left shoulder during a rocket attack.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 August 2008. 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.

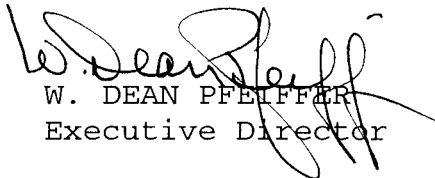
As a preliminary matter, the Board noted that your record already shows that you received treatment for an inguinal hernia during your period of service in the Marine Corps. In addition, officials at Headquarter, Marine Corps, have issued you a DD Form 215, to show reflect the correct dates of your two tours of duty in Vietnam

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 with regard to your remaining request. In this regard, the Board was unable to accept you uncorroborated assertion that you received a shrapnel wound in a rocket attack. There is no indication in your official military personnel file that you were wounded in action as you contend. 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