



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

JRE
Docket No. 11813-08
1 April 2009



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 record to show that you sustained a wound to your on 8 May 1942, and that you were awarded the Purple Heart. You contend that you found no report of the wound in your naval record, which you "just acquired".

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 26 March 2009. 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. In this regard, it concluded that your personal statement is insufficient to demonstrate that on 8 May 1942, you were wounded under circumstances that would entitle you to the Purple Heart. The Board noted that you should have been aware of the alleged deficiency in your record in 1986, when you applied to the Veterans Administration for service

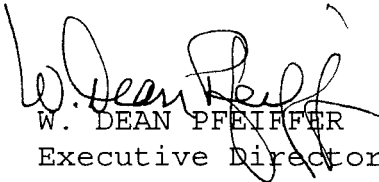
connection for injuries to your knee, arm, head and eye sustained in 1942.

The Board also concluded that a claim for reimbursement of the value of property lost or damaged in 1942 is not timely, and would not be accepted by claims adjudicating authorities.

In view of the foregoing, 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