



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

JRE  
Docket No. 05939-09  
14 August 2009

[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 that your record be corrected to show that your right hand was wounded, rather than your left.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 6 August 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.


The Board found that entries in your service record book indicate that you sustained a shrapnel wound to your left hand on 20 September 1967 while serving Vietnam with the Marine Corps. On 7 February 2008 the Department of Veterans Affairs (VA) denied your request for service connection for residuals of a shell fragment wound. The VA noted that although your service record indicates that you were wounded, your health record does not contain any evidence of treatment for combat wounds. In addition, it was impossible for VA examiners to determine

whether the scar on your right hand was the result of a shrapnel wound.

In view of the foregoing, and as the Board was not persuaded that you sustained a wound to your right hand rather than your left, 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