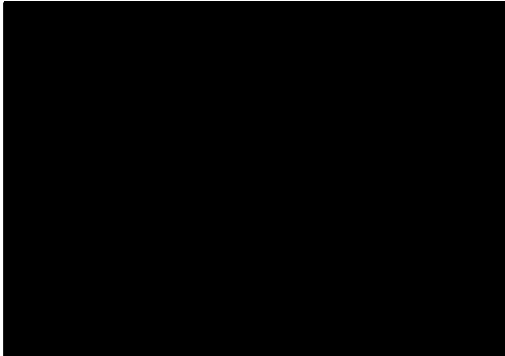




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No. 07772-07
19 February 2008



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.

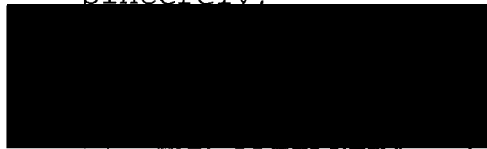
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 February 2008. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. 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. In addition, the Board considered the advisory opinion furnished by Commandant of the Marine Corps dated 16 October 2007, 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,



Executive Director

Enclosure

1650
MMMA-2
16 Oct 07

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

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED] JOHN [REDACTED]

Ref: (a) Request of 4 September 2007

1. Per the reference, [REDACTED] asserts that [REDACTED] should be awarded the Purple Heart Medal for his service during [REDACTED].
2. A review has been conducted of [REDACTED] medical records and records at this Headquarters. There is no evidence to support that [REDACTED] was ever wounded in a combat situation during [REDACTED].
3. Due to the fact that there is no indication in his records that he was ever injured under conditions which would qualify for the Purple Heart Medal, [REDACTED] is not eligible for this award.
4. In certain cases, two explicit witness statements are allowed in lieu of medical documentation. However, [REDACTED] record contains only one such statement documenting the circumstances of the injury.
5. The point of contact in the Military Awards Branch is [REDACTED] at [REDACTED] or [REDACTED].

