



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

JRE
Docket No. 09096-08
3 November 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 30 October 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. The Board was unable to obtain your Marine Corps health record. It obtained a copy of your Air Force health record from the Department of Veterans Affairs (VA).

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.

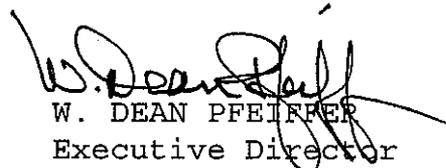
The Board did not accept your unsubstantiated contentions to the effect that you were disabled due to residuals of a fracture nose, and that you were wounded in action and therefore entitled to the Purple Heart. Neither of the contentions is supported by entries in your Marine Corps service record, Air Force health record, or VA. In addition, the Board noted that your service

record does not indicate that you participated in combat in Vietnam in 1970, and that you failed to disclose the alleged disability and wound in the Standard Form 93, Report of Medical History, you completed when applying for enlistment in the Air Force in 1984.

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