



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

■  
Docket No: 6185-22  
Ref: Signature date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 12 September 2022. The names and votes of the panel members will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies.

You enlisted in the Marine Corps and began a period of active duty on 5 February 1952. From a period beginning on 2 September 1952 to 2 August 1953, you participated in operations against communist forces on the ■ with ■. On 4 February 1954, you were discharged from active duty with an Honorable characterization of service. At the time of your separation you were issued a Report of Separation from the Armed Forces of the United States (DD Form 214) that indicated your entitlement to the Korean Service Medal with three campaign stars, United Nations Service Medal, and the National Defense Service Medal.

You have previously petitioned and been denied by both the Military Awards Branch and this Board for the Bronze Star Medal (BSM). This Board denied your two previous applications on 30 August 2021 and 23 May 2022 based on two separate advisory opinions that found insufficient evidence to support your entitlement to the award.

The Board carefully weighed all of the factors you presented to support your request for the BSM. The Board noted you did submitted new material evidence in support of your request. However, the Board concluded you did not meet the fundamental requirement of submitting a complete package via a member of congress as authorized by Title 10, United States Code, Section 1130. Therefore, while the Board commends your honorable and faithful service in the Marine Corps, upon review of the evidence provided, the Board again concurred with the advisory opinions in your previous cases and did not find any evidence of an error or injustice that warrants your entitlement to the aforementioned award.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

9/30/2022



Executive Director

Signed by: █