



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

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Docket No. 4269-23
Ref: Signature Date



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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 5 June 2023. 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.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You enlisted in the U.S. Marine Corps (USMC) and began a period of active duty on 8 July 1998. On 7 July 2002, you were discharged after completing an Honorable period of military service.

Post-discharge, you sent inquiries to the Marine Corps requesting information on your awards. Correspondence from Headquarters Marine Corps Manpower Management Division, Military Awards Branch (HQMC MMMA-3A), dated 5 August 2015, lists all of your entitled awards; the Purple Heart (PH) medal was not listed. After further inquiries from you regarding additional

entitlements, later correspondence from HQMC MMMA-3A, noted that your awards records review from 2015 was accurate and properly documents your earned awards.

The Board, in its review of the entire record and petition carefully considered your contentions as specifically outlined in your petition. However, the Board unanimously determined, even after reviewing the evidence in the light most favorable to you, that at this time you do not merit consideration for any additional awards. The Board concurred with the HQMC MMMA-3A findings. Additionally, the Board concluded that you did not present sufficient evidence to overcome the presumption of regularity. The Board determined your contentions were unsupported in the record or by submission of documentation and failed to overcome that presumption.

The BCNR sincerely appreciates, respects, and commends you for your Honorable and faithful service during your Marine Corps career. Unfortunately, it is regretted that the circumstances of your case are such that favorable action cannot be taken at this time.

You are entitled to have the Board reconsider its decision upon the 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,

6/13/2023

