



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

CRS  
Docket No: 6676-01  
22 February 2002

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 21 February 2002. 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 the Awards Branch, Headquarters Marine Corps dated 2 October 2001, 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,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
3280 RUSSELL ROAD  
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1650  
MMMA-3  
2Oct01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS (BCNR)

Subj: REQUEST FOR ADVISORY OPINION(S) IN THE CASE OF [REDACTED]  
[REDACTED] FORMER MARINE

1. During the period he served in the Marine Corps, the Purple Heart was authorized for award to those who were wounded or injured as a direct result of action by an enemy of the United States or an opposing armed force of a foreign country in which the Armed Forces of the United States was engaged.
2. Regrettably, a review of his service and medical records, and the records at this Headquarters fails to reveal any documentation to substantiate his entitlement to the Purple Heart award. The injury he received on October 17, 1969 when he dropped a piece of sheet metal on his foot, was determined by the Commanding General, 3<sup>rd</sup> Marine Division to be non-hostile and would not qualify for the award of the Purple Heart. As such policy precludes him from being recognized with a Purple Heart.
3. I regret that a more favorable reply is not possible and I realize that the decision is not what he expected. In no way does it diminish his contributions to this Country and Corps.
4. A point of contact at MMMA is [REDACTED] @ 784-9210.

