



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

[REDACTED]
Docket No. 7934-17

JUL 03 2018

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Dea [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. After careful and conscientious consideration of the entire record, the Board found the evidence submitted was 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 for Correction of Naval Records, sitting in executive session, considered your application on 30 April 2018. The names and votes of the members of the panel 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 this 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 advisory opinion provided by the Navy Department Board of Decorations and Medals (NDBDM) 1650 NDBDM/224-17 dated 23 October 2017 was sent to you on 26 October 2017 for an opportunity to comment prior to being considered by the Board. After the 30-day period for comment expired without a response, the case was presented to the Board.

The Board considered the notarized letter you submitted from the attending medic Corpsman that treated your wound. However, the Board noted that pertinent policies and practices, have established that wounds that required self-aid, buddy aid, or cursory treatment by a corpsman or medic have not qualified for the PH. Further, The Board substantially concurred with the comments contained in the advisory opinion. A review of your personnel records and available resources failed to verify your entitlement to the Purple Heart Medal (PH).

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s)

involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

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 and material evidence. New evidence is evidence 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