



Docket No. 0354-25  
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 26 March 2025. 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, applicable statutes, regulations, and policies.

You enlisted in the Marine Corps and served on active duty from 4 October 1965 until 31 October 1981. At the end of your obligated service, you were transferred to the Fleet Reserve.

Post discharge, you requested a Headquarters, U.S. Marine Corps review of your record to determine your eligibility for the Purple Heart. On 19 May 2014, the Marine Corps responded to you with a list of awards you were entitled to but determined you were not eligible for the Purple Heart (PH) based on lack of evidence that you were treated by a medical officer. In 2024, you requested reconsideration of your request for a PH. On 15 November 2024, Headquarters, U.S. Marine Corps denied your request based on its 2014 determination that you did not warrant the medal.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case. These included, but were not limited to, your desire for the PH and contention that: (1) you are requesting that the information you attached be reviewed with [REDACTED]'s statement and his letter, "A Marine Artillery Officer's Letter from

█, 66-76,” (2) an explosion destroyed your gun and knocked you out because the blast blew you into a bunker, (3) you realize you were not treated by a medical officer but it does not change the effect that it had on you that night and all the nights after that, (4) if this was not a wound inflicted by the enemy then you don’t know what is, and (5) you are still trying to remember things from your past that may or may not be important but to you this was a wound inflicted by the enemy.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board concurred with Headquarters Marine Corps and determined that there is insufficient evidence to support your request for a Purple Heart based on lack of evidence that your wounds were treated by a medical officer. The Board noted that you acknowledge you were treated by a corpsman and not a medical officer. At the time of your injury, the criteria for the PH required that wounds or injuries be a direct result of enemy action and be treated by a medical officer. An injury does not meet the PH threshold if it is determined the injury could be adequately treated by a physician extender or a corpsman/medic. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

The Board thanks you for your faithful and selfless service to this country. This decision in no way diminishes your astonishingly brave and selfless sacrifices.

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,

4/22/2025

