

DEPARTMENT OF THE ARMY
3d Heavy Brigade Combat Team
4th Infantry Division (Mechanized)
FOB Warhorse, Iraq
APO AE 09397

AFZC-FC-JA

27 March 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED] 06-3/4-467

1. Claimants name and address: [REDACTED], Salah Dein, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 24 Dec 05, in Salah Dein, Iraq
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$10,000, on 25 Mar 06.
4. Chapter the claim was considered under and a brief description of the incident or of the issues raised by the claimant on reconsideration: Foreign Claims Act and Chapter 10, AR 27-20; claim filed for compensation for death of son.
5. Facts: CF shot and killed his son.
6. Opinion: In order to form a basis for a claim under the FCA, the incident in question must have arisen outside the United States. In addition, the incident must be caused by either non-combat activities of the United States Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces. Claim seems to be combat related.
7. Recommended Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for \$10,000 is denied.

[REDACTED]
CPT, JA
Foreign Claims Commission

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Claims Form

To: United States Army Foreign Claims Commission.

From: Name: His father () and his wife
Address: [REDACTED]

I am

- a. A citizen and national of: Iraq
- b. A permanent resident of: AL-Dulayehai
- c. Employed by: AL-Dulayehai
- d. Check one () An insurer () Not an insurer
- e. Check one () A subrogee () Not a subrogee

I hereby make a claim against the United States Government for damages or injuries caused by: (Name, Organization, Military Department, Address, Telephone Number)

U.S. Army

The property damaged is owned by: (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evidence of authority and fill in the form below for party claiming the damage or injury.)

My claim is AL-Dulayehai
[REDACTED] (Name)
[REDACTED] (Town)

Saleh Deen
(City)

Iraq
(Country)

My claim is Spec
[REDACTED] (Name)
[REDACTED] (Town)

24
Day

2005
Year

Give brief statement of the accident or incident on which the claim for damages to property or for personal injury is based. (Use back of this sheet if necessary.)

In the statement from above my son [REDACTED]

went to visit his friend () who was in my house when I heard that the American

force kill him in his his friend's house. So

I went to the house and I found my

son was killed by ~~an~~ an American soldier

as shown in the medic report and statement

of witness.

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Describe in full the extent of property damage or personal injury sustained as a result of the above incident:

big damage

List in detail the amount of property damage and itemized expenses resulting from the property damage or personal injury. (Attach bills and receipts, if applicable.)

Item Amount

as shown in the legal expert 10000/-
re Part

Total: 10000/-

I want I sued to the following extent against the damage or injuries I have sustained:

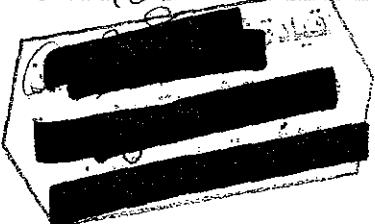
The name and address of my lawyer (if any) is:

(Name)

(Address)

Legal expenses (Indicate amount in U.S. dollars and local currency)

\$ 10000 local



(3) nature of Claimant

Signed and Affirming this 5 day of Jan 2005

His father (

(Print Name)

(Signature)

authorised

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