

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

AFZC-FC-JA

24 February 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED] 06-3/4-292

1. Claimants name and address: [REDACTED] Isahki, Iraq
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 1 Jan 06, at Isahki, Iraq.
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$10,000 on 23 Feb 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: Claimant states that US Forces shot and killed her son while conducting a raid at a neighbors home.
6. Opinion: In order to form a basis for a claim under the FCA, the incident in question must have arisen outside the Unites States. In addition, the incident must be caused by either non-combat activities of the Unites States Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces. This claim has been verified and an investigation was conducted. Her son was shot whle standing in a window over 200 meters away from the house being raided.
7. Recommended Action: This claim is payable under the FCA for the above mentioned reasons. Consequently, this claim is approved for \$6,000.

[REDACTED]
[REDACTED]
[REDACTED]
CPT, JA
Foreign Claims Commission

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