

(b)(3)(b)(6)

CENTCOM 020226

08-192-T016-00001

~~4DA~~
7D

Notified 10 Nov 07
Entered into USACCS 10 Nov 07

08I92T016

(b)(6)

(144)

DENIAL CLAIM FILE CHECKLIST

(b)(3),(b)(6)

(b)(2)High

CENTCOM 020228

08-192-T016-00003

10 Jul 07
(b)(3), (b)(6)

DENIAL CLAIM FILE CHECKLIST

(b)(2)High

(b)(6)

CLAIMS CHECKLIST

CLAIM NUMBER:

AMOUNT OF CLAIM: \$ 3000.⁰⁰

CLAIMANT'S NAME:

(b)(6)

DATE OF INCIDENT: 26 Aug 07 DATE FILED:

DATE RECEIVED:

CLAIM TYPE:

- | | | |
|--------------------------------------------|-------------------------------------------------|---------------------------------------------------|
| <input type="checkbox"/> Vehicle Damage | <input type="checkbox"/> Detainee Property | <input type="checkbox"/> Damage During Raids |
| <input type="checkbox"/> SAF Damage/Injury | <input checked="" type="checkbox"/> Real Estate | <input checked="" type="checkbox"/> Other (Death) |

CLAIM AROSE FROM:

- | | |
|--------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Combat Activities | <input checked="" type="checkbox"/> Non-combat Activities |
|--------------------------------------------|-----------------------------------------------------------|

CLAIM IS:

- | | |
|---------------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> Payable | <input type="checkbox"/> Not Payable |
|---------------------------------------------|--------------------------------------|

BRIEF OVERVIEW: Claimant states US Forces Conducted a Controlled Det. on a neighbors House Causing a wall To fall on His daughter and Kill Her

(b)(5), (b)(2)High

REVIEWED BY:

(b)(3),(b)(6)

Alat

DATE REVIEWED: 19 Sep 07

FCC COMMENTS

Deny 1-38 IN paid \$2,500 for property damage and \$2,500 for the death. This has already been paid.

DATE APPROVED/DENIED: 6 NOV 07

(b)(2)High



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFZN-BC-FCC

Claim of (b)(6) 08-192-T016

ACTION

1. Facts: The claimant alleges that on 26 August 2007, American forces conducted a controlled detonation on his neighbors house causing a wall to fall on his daughter and kill her.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim is therefore denied.

(b)(3),(b)(6)

CPT, JA
FCC 192

CENTCOM 020231

08-192-T016-00006



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION-BAGHDAD
FOREIGN CLAIMS COMMISSION
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

November 9, 2007

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-192-1016
Baghdad, Iraq

Dear Sir:

You have submitted a claim seeking compensation for the death of your daughter caused by a controlled detonation caused by U.S. forces on 26 August 2007. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA), Title 10, United States Code § 2734, Army Regulation 27-20 (Claims) and Department of the Army Pamphlet 27-162 (Claims Procedures).

I have reviewed all the information included in your claim and the evidence from the resulting investigation. Unfortunately, your claim is not compensable. After reviewing your claim, it was determined that there was no evidence that US Forces acted either negligently or wrongfully. Accordingly, your claim must be denied.

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with Army Regulation 27-20. Any such request must be based on new or additional evidence and should be forwarded to this office. While there is no prescribed format for such a request, it must describe the legal and/or factual basis for relief. Any request for reconsideration should be made in writing within 30 days of your receipt of this letter. Thank you for your kind attention.

Sincerely,

(b)(3),(b)(6)

Captain, U.S. Army
Foreign Claims Commission 192

CENTCOM 020232

08-192-T016-00007



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFZN-BC-FCC

Claim of (b)(6) 08-192-T016

ACTION

1. Facts: The claimant alleges that on 26 August 2007, American forces conducted a controlled detonation on his neighbors house causing a wall to fall on his daughter and kill her.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim is therefore denied.

(b)(3),(b)(6)

CPT, JA
FCC 192

CENTCOM 020233

08-192-T016-00008

I talked with the claimant he said that
the unit paid him \$2500 for him on the
same type accident for his house & he asked
for his Daughter 13 years
Taka 3/5/07/2007 * Claimant
has paid
\$5,000.00
Attorney

(b)(6)

Claims Form
طلب تعويض

(b)(6), Foreign Language Text

(b)(6)

Phone Number _____

I am _____

a. A national citizen of: _____

Foreign Language Text

b. A permanent resident of: _____

Foreign Language Text

c. Employed by: _____

Foreign Language Text

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

*Shot at the home beside
Coalition Forces attacked my home on 19 June 2007 caused killing my daughter*
(أنتي التظلم لدي حكومي الولايات المتحدة للأضرار والإصابات التي تسببت من: (المنظمة (أو وحدة العسكرية)

(b)(6), Foreign Language Text

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 sustaining the damage or injuries.)

الامتلاكات المتضررة مملوكة من: (إذا كان عنا التظلم عدم من أهل معق أو قريب أو عاش في جوار أعضاى المنظمات التي تفولكم وتوكلكم
للتظلم بهذا التظلم ، أو أي دليل من ممتلكين وسمطين
أصل التظلم بالأسفل لإلزام المتقدم بالشكوى للإصابات أو الأضرار التي أصابتهم.)

My claim arose at:

(Town)

(City)

(Country)

Foreign Language Text

(b)(6)

My claim arose on:

Foreign Language Text

26 Aug 2007

Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based. (If necessary, attach a separate sheet.)

His forces exploded his neighbor's empty house behind his claimant house on 6/19/2007 at 03:00 PM

because of that explosive the wall fell down on his daughter and she died

List in detail the amount of property damage and itemized expenses resulting from the property damage or personal injury, if any, as applicable.

Item	Amount
damage to house	
death of his daughter	
Total:	

أشرح باختصار ما حدث والأضرار التي سببها الحادث، سواء كانت ممتلكات أو أشخاص. (إذا لزم الأمر، ضف ورقة إضافية)

البند	المبلغ
تلف في المنزل	
وفاة ابنته	
المجموع:	

I was insured to the following extent: (Indicate the damage or injury I have sustained:

No insurance

هل تم التأمين على الممتلكات أو الضرر الجسدي المتضرر بما يلي:

I claim as damages: (Indicate amount in U.S. dollars and local currency)

\$ 3,000

I.D. 3250

أطالب بمبلغ التعويض (الأسواق بـ 1000 دولار أمريكي أو العملة المحلية)

I (have/ have not) previously filed a claim against the incident described above.

هل سبق (لدي/ ليس لدي) تقديم مطالبة ضد الحادث المذكور أعلاه.

To the best of my knowledge, no other claim (has/ has not) been filed relating to the incident described above.

بحسب علمي طبعاً، لم يتم (لم يتم) تقديم أية مطالبة أخرى متعلقة بالحادث المذكور أعلاه.

NOTE: BY SIGNING THIS FORM, I AM AGREEING THAT THE INFORMATION PROVIDED IN THIS CLAIM IS ACCURATE AND TRUE. ANYONE WHO ATTEMPTS TO FILE OR SUBMIT A CLAIM AGAINST THE UNITED STATES IS IN VIOLATION OF THE PROSECUTION

(b)(6), Foreign Language Text

ملاحظة: بالتوقيع على هذا النموذج، فإنني أوافق على أن المعلومات المقدمة في هذا الادعاء صحيحة وحقيقية. أي شخص يحاول تقديم أو إرسال ادعاء ضد الولايات المتحدة الأمريكية ينتهك القوانين المعمول بها.

Father of deceased (Person)

(b)(6)

(b)(6)

(b)(6), Foreign Language Text

(Signature of Claimant)

(توقيع المعلن) (الاسم واللقب)

Subscribed to me

Language

2007

Language

2007

(Signature of Witness)

(Printed Name)

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

CENTCOM 020240

08-I92-T016-00015

Death of Certificate

Foreign Language Text, (b)(6)

gn Language

Foreign Language Text, (b)(6)

language Te

CENTCOM 020241

08-192-1016-00016

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

CENTCOM 020242

08-192-T016-00017

(b)(6), Foreign Language Text

Foreign Language Text

the police examine the body
in hospital they saw her
in house and there was also a
coming out of her window

CENTCOM 020243

08-192-1016-00018

Foreign Language Text, (b)(6)

Foreign Language Text

The explosion
House

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

building

Foreign Language Text

Language

10 46,844
12 46,844

Foreign Language Text

The direct sale
squat

Foreign Language Text, (b)(6)

witness

us forces exploded his neighbor house
and behind the claimant house and that
caused damage on the house due to his
daughter hit by wall and died.

(b)(6), Foreign Language Text

*police m...
examine carefully
and...*

(b)(6)

Foreign Language Text

Foreign Language Text, (b)(6)

Foreign Language Text

CENTCOM 020246

08-192-1016-00021

(b)(6), Foreign Language Text

(b)(6)

Foreign Language Text

(b)(6)

(b)(6)

(b)(6), Foreign Language Text

(b)(6)

Foreign Language Text, (b)(6)

Police report

(b)(6), Foreign Language Text

The claimant that his
Daughter was exposed to
an accident caused on killing
his daughter.

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

Language

Foreign Language Text, (b)(6)

(b)(6), Foreign Language Text

08-192-T016-00027

CENTCOM 020252

(b)(6)

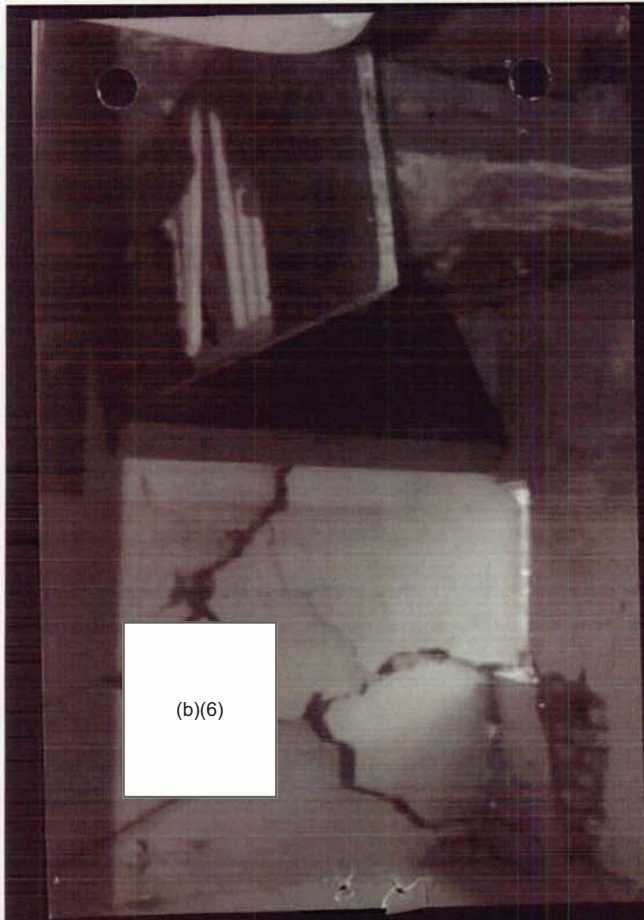
CENTCOM 020253

08-192-1016-00028



08-192-1016-00029

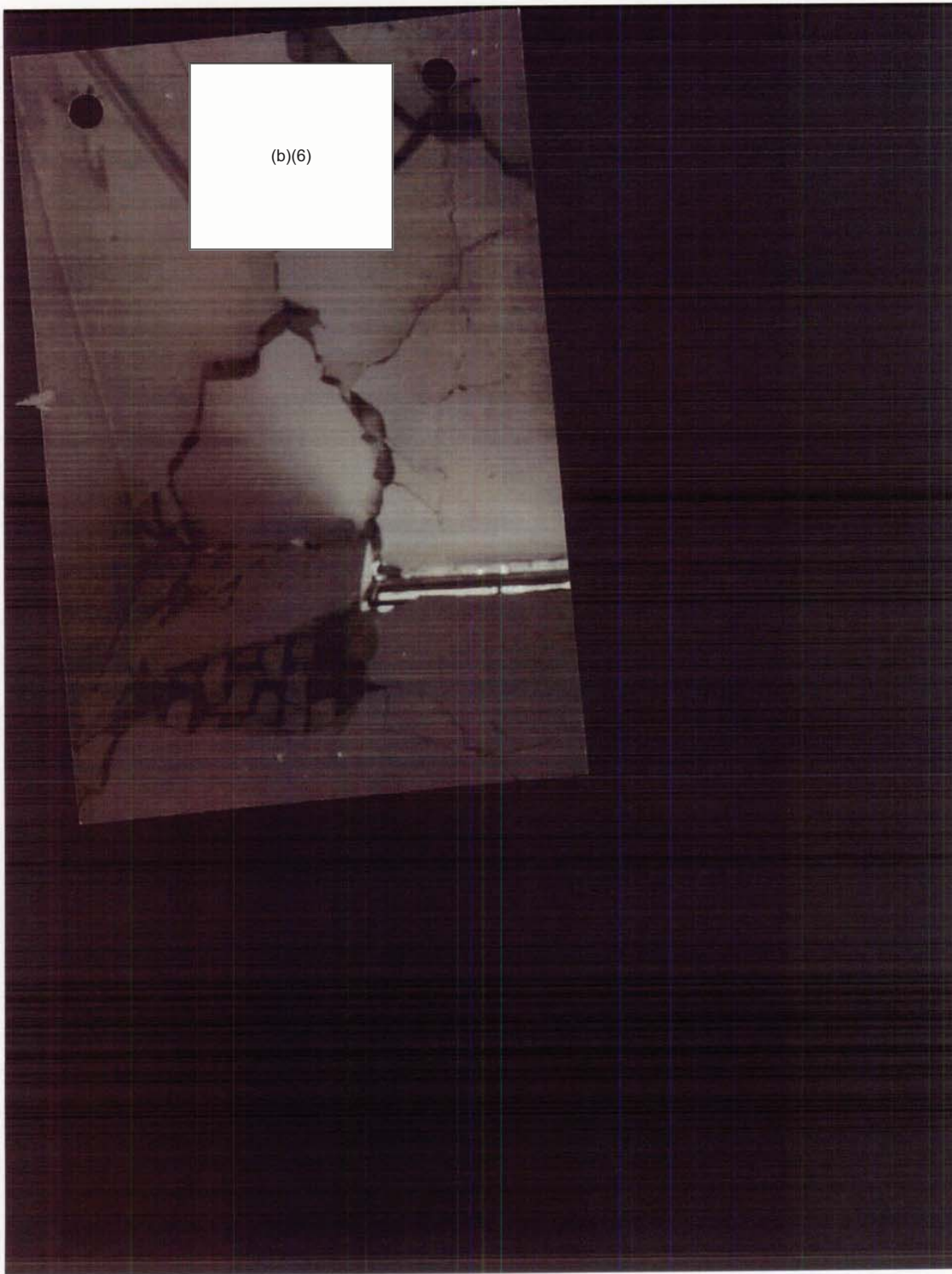
CENTCOM 020254



(b)(6)

08-192-1016-00030

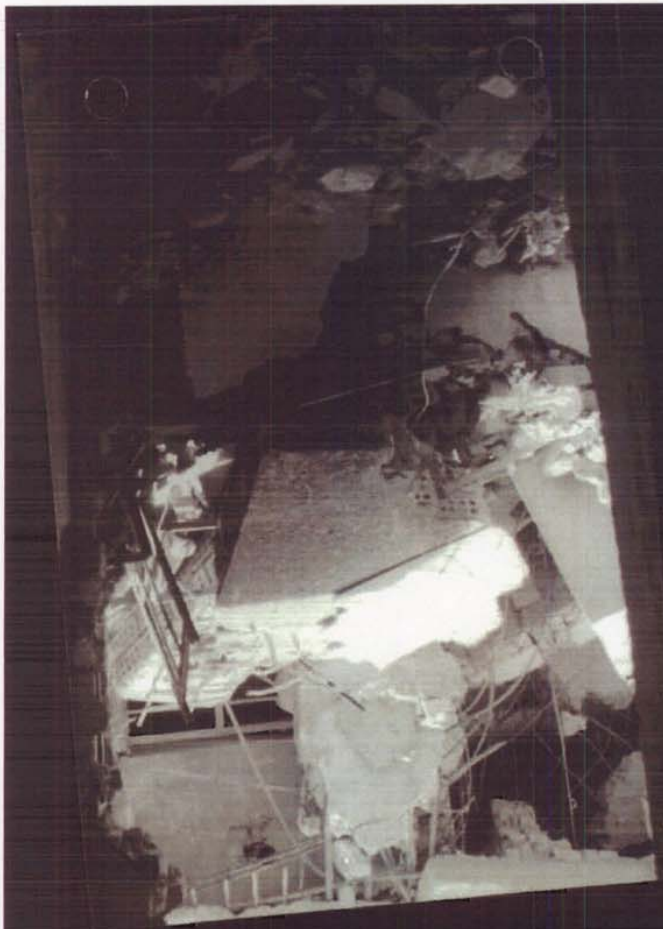
CENTCOM 020255



(b)(6)

08-192-1016-00031

CENTCOM 020256



08-192-1018-00032

CENTCOM 020257