

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

CENTCOM 020226

08-I92-T016-00001

28043

(144)

(b)(6)

08I92T016

Not Fined 10 Nov 07
Entered into USARCS 10 Nov 07

4DN
7D

CENTCOM 020227

08I92T016-00002

DENIAL CLAIM FILE CHECKLIST

(b)(3),(b)(6) 08
7.1

(b)(2)High

CENTCOM 020228

08-I92-T016-00003

28045

10 *10107*
(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:

Vehicle Damage

Detainee Property

Damage During Raids

SAF Damage/Injury

Real Estate

Other (Death)

CLAIM AROSE FROM:

Combat Activities

Non-combat Activities

CLAIM IS:

Payable

Not Payable

BRIEF OVERVIEW: Claimant states US Forces conducted a Controlled Det. ~~on~~ 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)

Alth DATE REVIEWED: 19 Sep 07

FCC COMMENTS

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

DATE APPROVED/DENIED: 0 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-I92-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-I92-T016-00006



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-I92-T016
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 I92

CENTCOM 020232

08-I92-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 [REDACTED] (b)(6) 08-I92-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.

[REDACTED]
(b)(3),(b)(6)

CPT, JA
FCC I92

I talked with the claimant he said that
the unit paid him 125.00 for him on the
same date incident for his house he stated
for his daughter (13 years)
Tisha 3/50/02 ~~Claimant~~
~~has recd~~
~~\$500.00~~
~~already~~

(b)(6)

Claims Form
طلب مطالبات

(b)(6), Foreign Language Text

(b)(6)

Phone Number _____

I am _____

a. A national citizen of: _____

Foreign Language Text

لديه جنسية: _____

b. A permanent resident of: _____

Foreign Language Text

عنوان الدائم: _____

c. Employed by: _____

Foreign Language Text

أعمل لدى: _____

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 house beside
Coalition Forces attacked my house on 19 June 2007 caused killing my
daughter*

(b)(6), Foreign Language Text

and damaged my house

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.)

المساكن المنشورة مسؤولة عن: (إذا كان عنا انتقام من قبل ممثل أو قريب أو عائل فما جاء أعلاه المستدكنت التي تفوكتم وتوكلتم
للتعم بهذا للنظام أو أي ذوي من ممثلين ورثة).
أولاً انتقام بالأسفل للأفراد المذكورة للإصابات أو الاعتداء التي أصابتهم.

My claim arose at:

(Town)

(City)

(Country)

Foreign Language Text

Baghdad

(b)(6)

CENTCOM 020235

08-192-T016-00010

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

CENTCOM 020238

08-I92-T016-00013

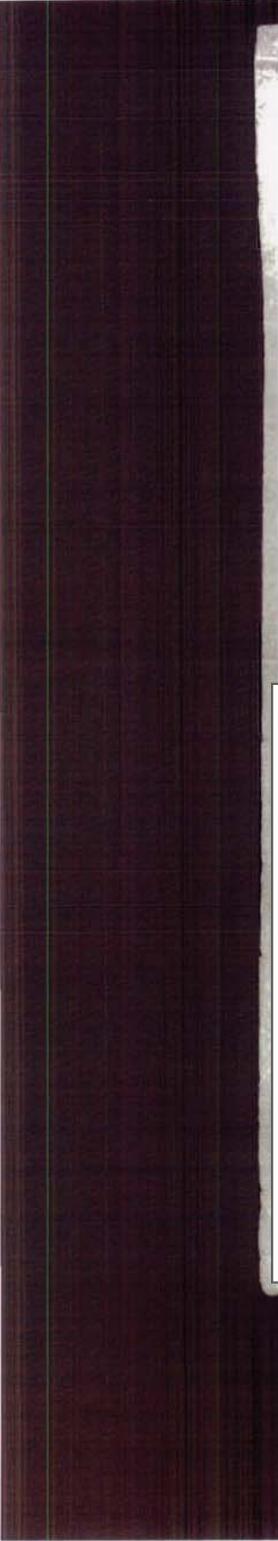
28055

(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 T

CENTCOM 020241

08-192-T016-00016

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

CENTCOM 020242

08-I92-T016-00017

(b)(6), Foreign Language Text

Foreign Language Text

The public examine the body
In hospital they saw her
in breast and there found
Coming out of her breast

CENTCOM 020243

08-192-1016-00018

28060

Foreign Language Text, (b)(6)

Foreign Language Text

Foreign Language Text

Foreign Language Test

Foreign Language Tex

Foreign Language Text

Foreign Language Text

Foreign Language

Language

1

CENTCOM 020244

08-192-1016-00019

Foreign Language Text, (b)(6)

witness

US forces exploded his neighbor house
hand 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 *MP*
Examine Carefully
and
action

(b)(6)

Foreign Language Text

Foreign Language Text, (b)(6)

Foreign Language Text

CENTCOM 020246

08-192-T016-00021

28063

(b)(6), Foreign Language Text

(b)(6)

Foreign Language Text

(b)(6)

(b)(6)

CENTCOM 020247

08-192-1016-00022

28064

(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

CENTCOM 020250

08-192-1016-00025

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(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

Foreign Language Text, (b)(6)

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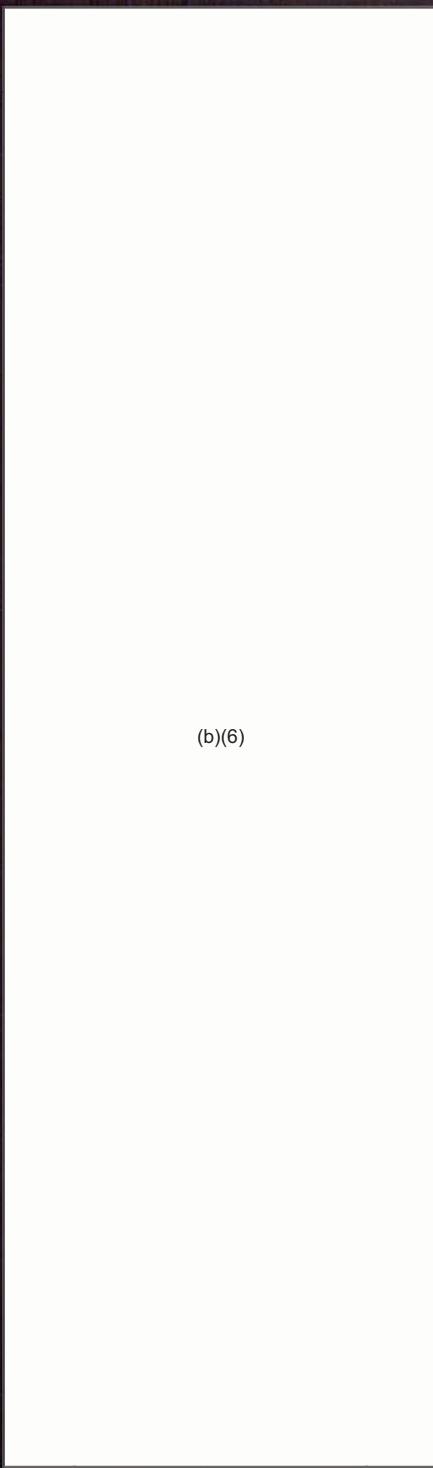
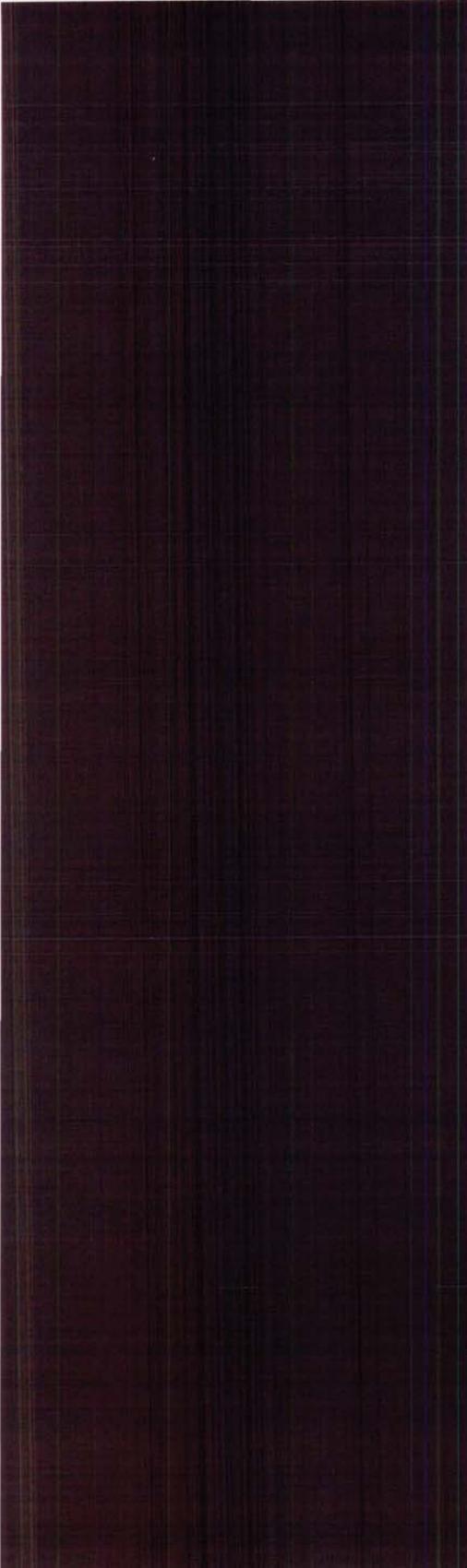
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08-192-1016-00026

(b)(6), Foreign Language Text

CENTCOM 020252

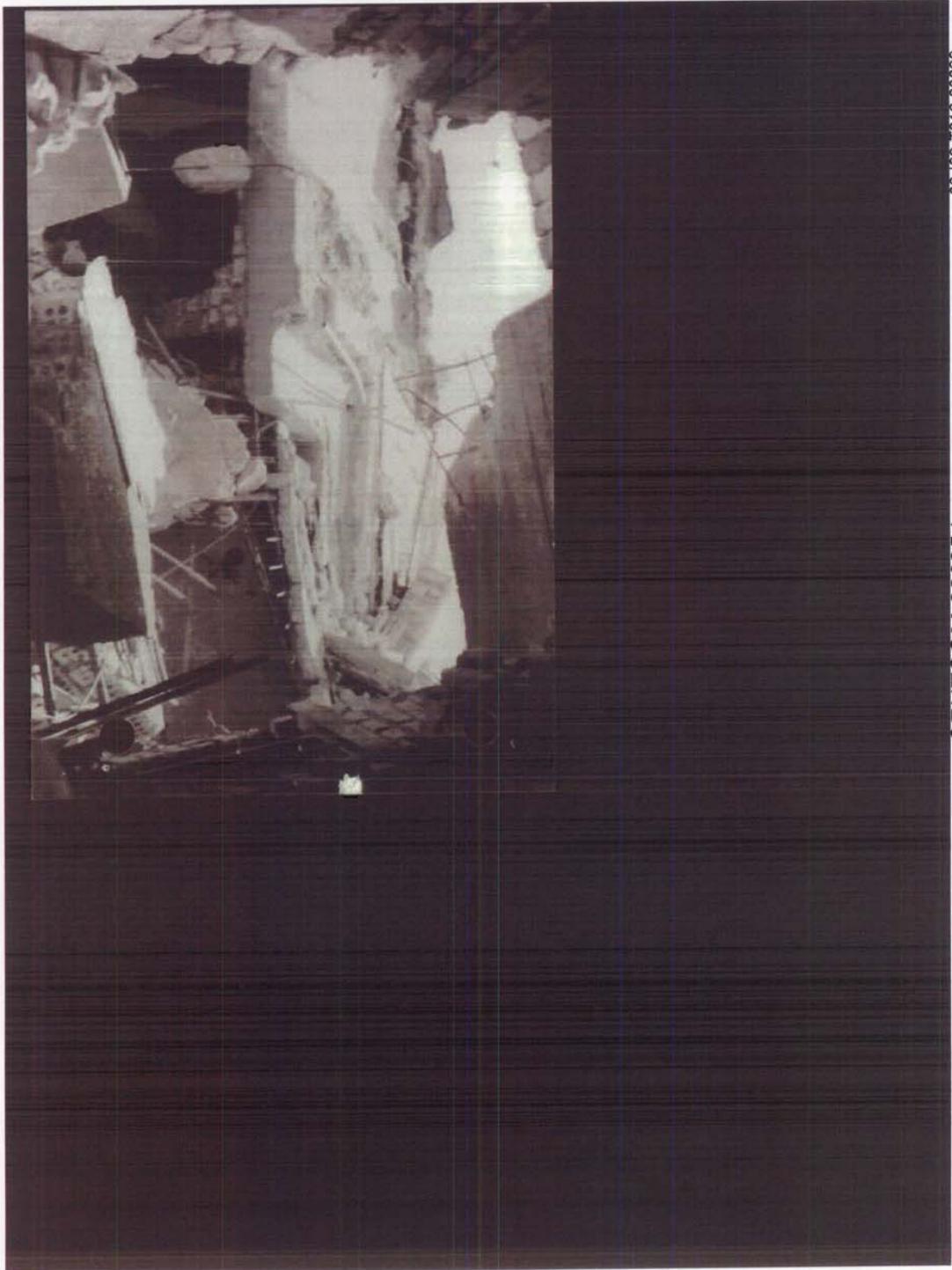
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(b)(6)

CENTCOM 020253

08-192-T016-00028



08-092-T016-00029

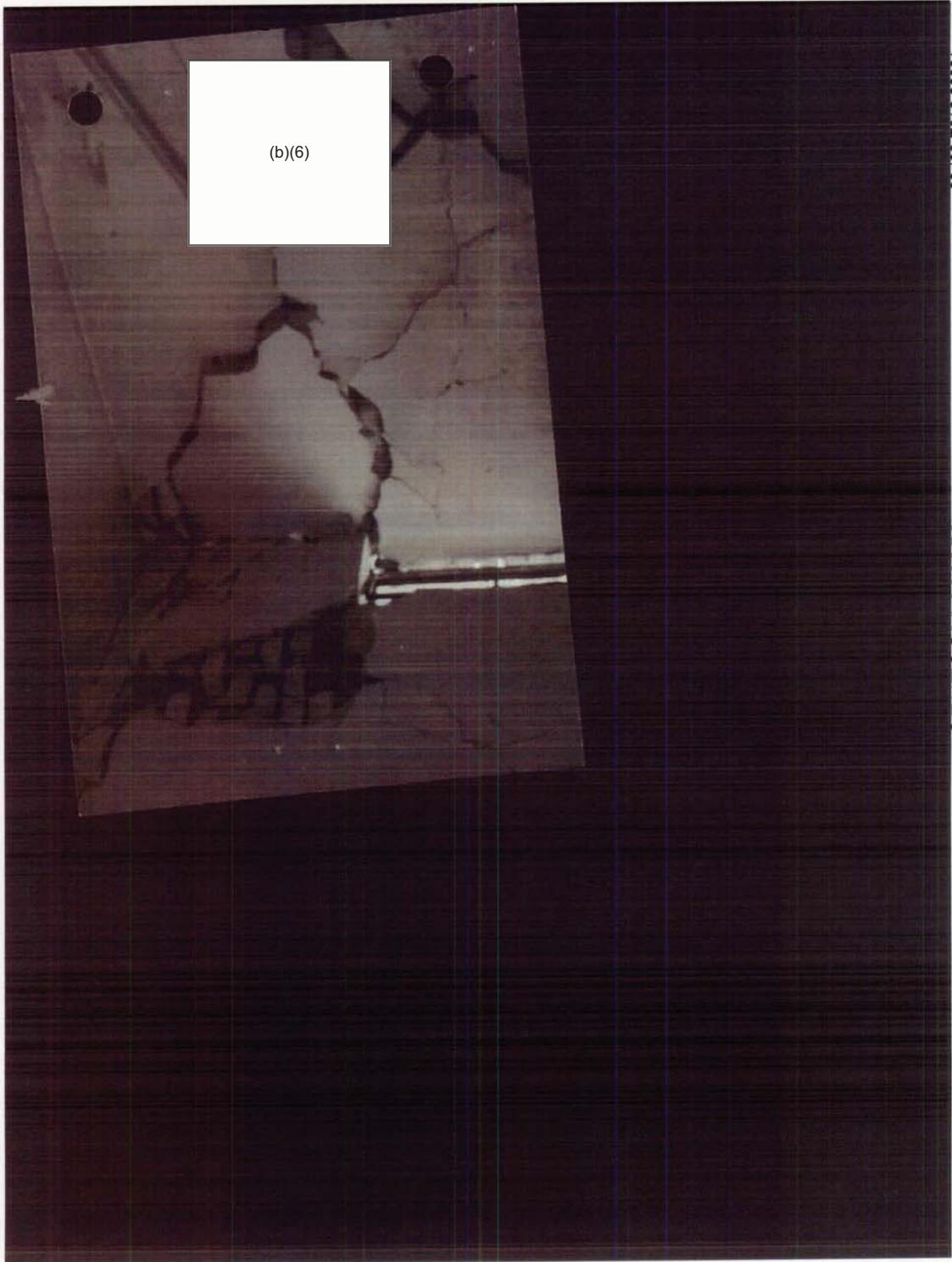
CENTCOM 020254

28071



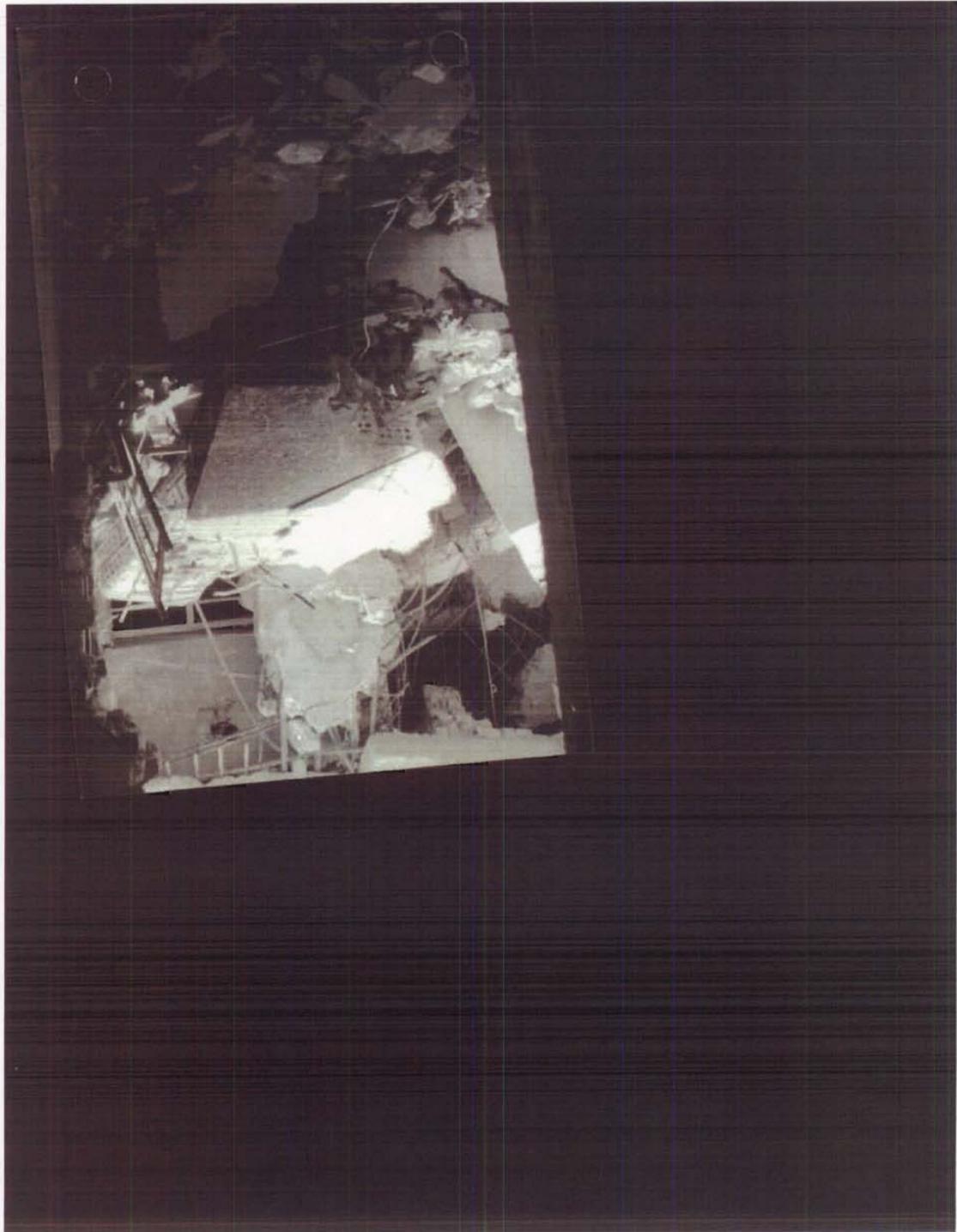
08-192-T016-00030

CENTCOM 020255



CENTCOM 020256

08-192-1016-00031



08-192-T016-00032

CENTCOM 020257

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