

7D 16 feb 08

11DN

7D 8 Mar 08

(b)(6)

08-I92-T105

DENIAL CLAIM FILE CHECKLIST

13 Ma 04
b(3), b(6)

(b)(2)High

CLAIMS CHECKLIST

CLAIM NUMBER: 08I92T 105

AMOUNT OF CLAIM: \$ 15000

CLAIMANT'S NAME: (b)(6)

DATE OF INCIDENT: 11 October 2007 DATE FILED: 3 January 2008 DATE RECEIVED:

CLAIM TYPE:

Vehicle Damage

Detainee Property

Damage During Raids

SAF Damage/Injury

Real Estate

Other

CLAIM AROSE FROM:

Combat Activities

Non-combat Activities

CLAIM IS:

(b)(5)

BRIEF OVERVIEW: The Claimant states that her home was damaged and her father was killed when coalition Forces engaged her house on accident

REMARKS:

(b)(5)

Check Sigact

REVIEWED BY: ~~SPC~~ SPC

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

DATE REVIEWED: 3 Jan 08

FCC COMMENTS

*Denied - Combat activity -
Claims card is not from the event she is claiming -*

*final denial
19 Feb 08*

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

DATE APPROVED/ DENIED

9 Feb 08

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

APPROVED

Amount Approved: _____

Approval Memo

Settlement Agreement

SF 1034

Disbursing Officer Memo



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-T105

ACTION

1. Facts: The claimant alleges that on 11 October 2007, her son was killed by US Forces.
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 I92



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-T105

ACTION

1. Facts: The claimant alleges that on 11 October 2007, her son was shot and killed by US Forces.
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



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

March 9, 2008

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-I92-T105
Baghdad, Iraq

Dear Ma'am:

You have submitted a claim seeking compensation for the death of your son. 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)(6), (b)(3)

Captain, U.S. Army
Foreign Claims Commission I92



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

February 16, 2008

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-I92-T105
Baghdad, Iraq

Dear Ma'am:

You have submitted a claim seeking compensation for the death of your son by US Forces. 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.

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Sincerely,

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

(b)(3), (b)(6)
Captain, U.S. Army
Foreign Claims Commission I92

Claims Form

طلب تظلم

Name:

(b)(6)

الاسم:

Address:

(b)(6)

العنوان:

I am

Iraq

أنا

a. A national citizen of: Iraq

أحمل جنسية:

b. A permanent resident of: no house address

ب. عنوان الدائم:

c. Employed by:

ت: 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)

no claim exists

أنا أتظلم لدى حكومى الولايات المتحدة للأضرار والإصابات التي نجمت من: (المنظمة، الوحدة العسكرية)

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.)

Death of her son

الممتلكات المتضررة مملوكة من: (إذا كان هذا التظلم قدم من قبل ممثل أو قريب أو عائل فالرجاء احضار المستمسكات التي تحولكم للتقدم بهذا التظلم ، أو أي دليل من ممثلين رسميين.
بملا التظلم بالأسفل للأفراد المقتربين بالشکر لالإصابات أو الأضرار التي أصابتهم.)

My claim arose at: Alakra, Arab Jabour- Baghdad Iraq
(Town) (City) (Country)

البلد أو المحافظة

المدينة

القرية

تظلمي قدم في:

My claim arose on: Oct 11 2002
Month Day Year

تطلبني قدم في: _____
الس يوم شهر

Give a 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.)

While her son was working in alduro market
the coalition forces opened fire towards him

باختصار أشرح ما حدث والأضرار التي أصابتك جراء ذلك ، سواء كانت جسدية أو ممتلكات . (الرجاء استعمال خلفية هذه الورقة إن لم تكن الأسطر لتفكي)

and got a shot on his head and died .

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 |
|----------------------|-----------------|
| <u>person killed</u> | <u>15/5 000</u> |

Total: 15 000

أثير بالتفصيل متى تضرر و الكفة للممتلكات أو للإصابات الجسدية وتكلفها (الرجاء أضافة الثبوتات والمتممكبات والفوائير الضرورية لكل بند لوحدة)

تکلفت

/

الشيء المتضرر

اجمالي التکلفة

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

No insurance

لدي تأمين على الممتلكات أو الضرر الجسدي المتضرر بما يوازي:

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

\$ 15000

I.D. ✓

أطالب بتعويض للأضرار يوازي (أكتب بالدولار الأمريكي أو العملة المحلية)

العملة المحلية

\$

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

سابقاً (فقط) (لم اقم) بتقديم بلاغ لهذه الحادثة المذكورة بالأعلى

To the best of my knowledge, another claim (has/ has not) been filed relating to the incident described above.

لحسن علمي طلب تظلم (قدم) لهذه الحادثة المذكورة بالأعلى

NOTE: BY SIGNING BELOW, YOU ARE SWEARING THAT THE INFORMATION PROVIDED IN THIS CLAIM IS ACCURATE AND TRUTHFUL. ANYONE WHO ATTEMPTS TO FILE, OR CONSPIRES TO FILE, A DUPLICATE OR FRAUDULENT CLAIM AGAINST THE UNITED STATES GOVERNMENT WILL FACE CRIMINAL PROSECUTION.

ملاحظة: بالتوقيع أصل هذا النظم فأن تقسم على أن كل المعلومات المقدمة في هذا النظم هي صحيحة وحقيقة. أي شخص يحاول تقديم تظلم كاذب أو مخالف أو يزور النظم ضد حكومة الولايات المتحدة الأمريكية سوق يواجه عقوبات جنائية حادة ويحاكم من قبل السلطات.

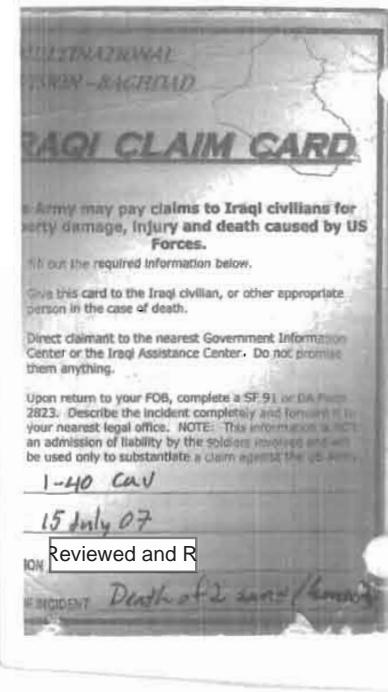
(Signature of Claimant)

(توقيع التظلم) الرجاء كتابة الاسم والتوقيع

Subscribed to me this 15 day of Nov, 2009.

(Signature of Witness)

(Printed Name)



CENTCOM 020304

28157

08-I92-T105-00011

The report explain that
the legal heritage of the victim belong
to his parents and brothers.

(b)(6)

CENTCOM 020305
28158

08-I92-T105-00012

Page 13 redacted for the following reason:

Foreign Language Text

Foreign Language Text, (b)(6)

police report show that
it was impossible to exam the location
of accident and make diagram because there is
military area and Iraq army forces transported
the body too.

Claimant Statement.

She said that on oct/11/2007 at 06:30 a.m
Her son came out to the Alitura area he was being
Working there - about 02:00 Some body phoned her
Son got a shot by Coalition forces and they he moved
By Iraq Army to the police station. Her son was shot
Because they thought he is terrorist But he isn't
Guiling.

Page 16 redacted for the following reason:

Foreign Language Text, (b)(6)

(b)(6)

Mother victim was born in [redacted] she lives at Al dura - Four Rijabs. She said in Oct/11/2007 her son come out of the house to the market his job pushing a rickshaw for a little wage. So while he was being there the coalition forces opened fire towards him and he got a shot on his head and he killed. The Coalition forces alleged that her son is a terrorist - But her son is young and he didn't carry any weapon and did illegal job - Now she complains coalition forces asking for compensation -

Page 18 redacted for the following reason:

Foreign Language Text, (b)(6)

Foreign Language Text

Foreign Language Text, (b)(6)

After police Received Body from Iraq army
May examined it, the victim in (b)(6)

(b)(6)

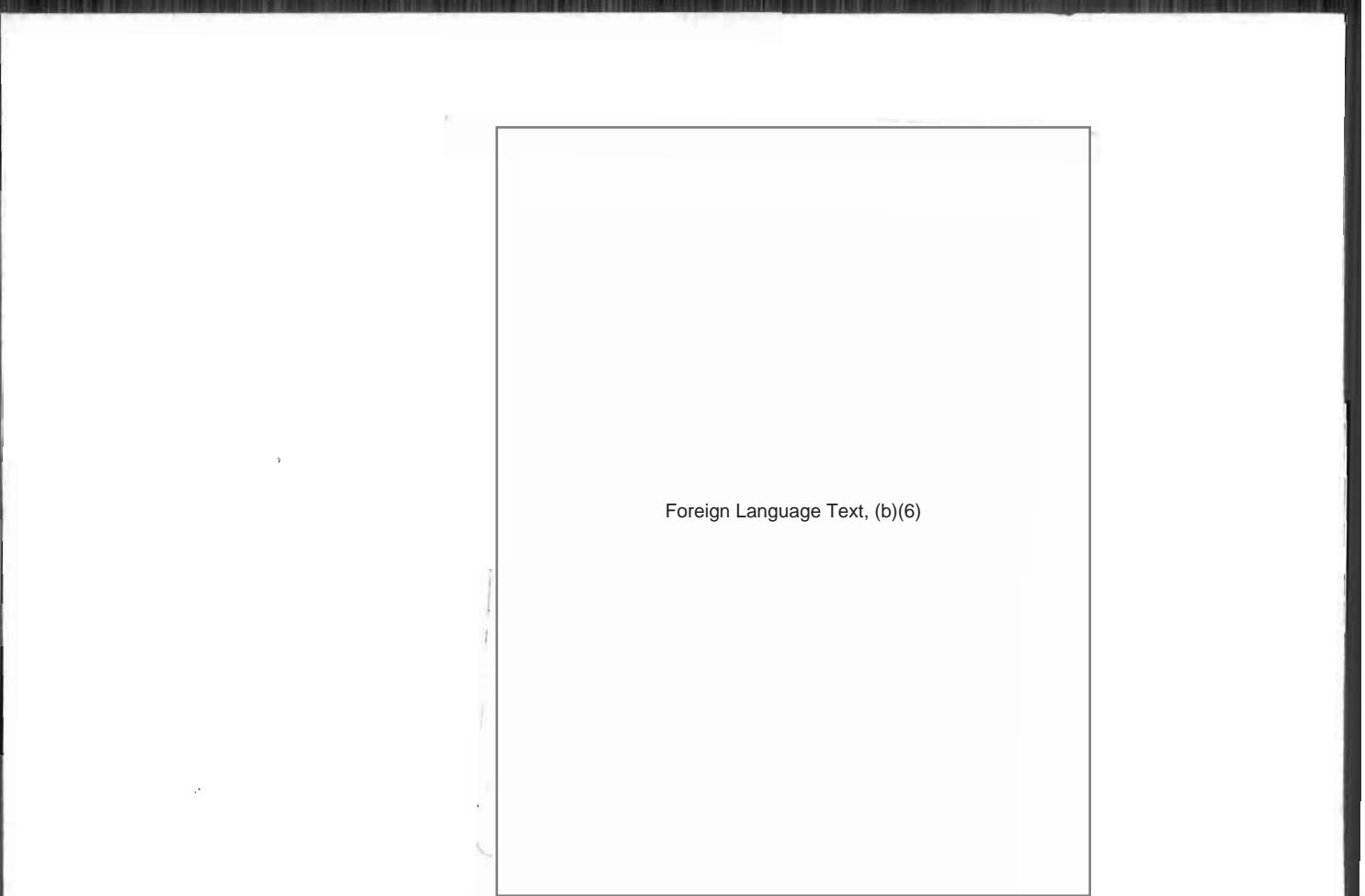
Foreign Language Text, (b)(6)

Foreign Language Text

police informed the ^{gave} ~~gentle~~
the wrote down the statement. The
claimant

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)

CENTCOM 020316

28169

08-192-T105-00023

Foreign Language Text, (b)(6)