

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

AFZC-FC-JA

27 March 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED] 06-3/4-506

1. Claimants name and address: [REDACTED] Beladruz, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 23 Jan 06, in Beladruz, 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 wife's death.
5. Facts: The claimant alleges that US Forces shot and killed his wife on the road after an IED went off about 200 meters away from them.
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. The claim resulted from a combat related incident, therefore it is not payable.
7. Recommended Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently, I recommend that this claim be denied.

[REDACTED]  
CPT, JA  
Foreign Claims Commission

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# Foreign Claims Intake Form

To: 3D HBCT, 4ID, Foreign Claims Office, FOB Warhorse, Iraq.

From: Name: [REDACTED] Sex: MA  
Address: Beledruz

I am a citizen and national of: \_\_\_\_\_

Name of Unit or US Personnel involved in incident: \_\_\_\_\_

Owner of property that was damaged: \_\_\_\_\_

My claim arose at: Beledruz / \_\_\_\_\_ / \_\_\_\_\_  
Town City Country

My claim arose on: Jan 23 2006 / \_\_\_\_\_  
Month Day Year Time

Give a brief statement explaining how the claim arose and the nature of the damages. Be sure to include the what, where, when, who, and how of what happened. Write legibly.

Husband states US Forces engaged and killed his wife on the road for no reason. NO IED incident or anything happening in the area to justify US shooting. Wife's death certificate was confirmed by interpreter. Upon further questioning claimant admit that an IED was set about 200 meters which prompted the shooting by US Forces.

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

\$ 10,000 local \_\_\_\_\_

\_\_\_\_\_  
Signature of Claimant N/A  
Name of Attorney

Subscribed before me this 25 day of Mar, 2006

[REDACTED]  
Print Name  
[REDACTED]  
Signature

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