

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

AFZC-FC-JA

27 March 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED] 06-3/4-467

1. Claimants name and address: [REDACTED], Salah Dein, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 24 Dec 05, in Salah Dein, 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 death of son.
5. Facts: CF shot and killed his son.
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. Claim seems to be combat related.
7. Recommended Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for \$10,000 is denied.

[REDACTED]
CPT, JA
Foreign Claims Commission

000307

Claims Form

To: United States Army Foreign Claims Commission.

From: Name: His father and his wife

Address: [Redacted]

- a. A citizen and national of: Iraq
- b. A permanent resident of: Al-Dulayehai
- c. Employed by:
- d. Check one () An insurer () Not an insurer
- e. Check one () A subrogee () Not a subrogee

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

U.S. Army

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 claiming the damage or injuries.)

My claim is for AL-Dulayehai Salah Deir Iraq
(Town) (City) (Country)

[Redacted] 24 2005
Day Year

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.)

In the date mentioned above my son [Redacted] went to visit his friend [Redacted]. I was in my house when I heard that the American force killed him in his friend's house. So I went to the house and I found my son was killed by an American bullet as shown in the medic report and statement of witnesses.

Describe in detail the nature and extent of property damage or personal injury sustained as a result of the above accident.

big damage

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
as shown in the legal expert report	10000 \$

Total: 10000 \$

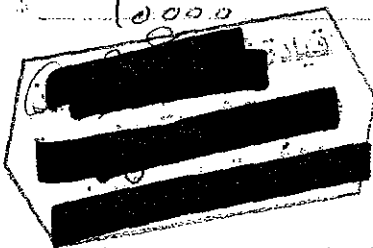
I was insured to the following extent against the damage or injuries I have sustained:

The name and address of my insurer (if any) is:

(Name) (Address)

Total amount covered: (Indicate amount in U.S. dollars and local currency)

\$ 10000 local



(Signature of Claimant)

State: California City: San Jose Date: Jan 2008

His father ([redacted]) authorized

(Signature)

000309