

Claims Form

To: United States Army Foreign Claims Commission.

From: Name: [REDACTED] Sex: _____

Address: Khadi's

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: Ehphp Khadi's
(Town) (City) (Country)

My claim arose on: Sep 20 2005 0900
Month Day Year Time

Give a brief statement explaining how the claim arose and the nature of the damages.

us forces shot at detainee's dad on fire road in Ehphp - Khadi's,
killing him at fire spot. See statement on page 3 for details.
medical report showed dad was killed from fire incident.

5,000 for vehicle + 3,000 for death person.

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

\$ 8000 local _____

(Signature of Claimant)

Subscribed before me this 4 day of Mar, 2005.

(Print Name)

(Signature)

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

AFZC-FC-JA

9 March 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED] 06-3/4-384

1. Claimants name and address: [REDACTED] Khalis, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 20 Sep 05, in Khalis, Iraq
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$8,000 on 4 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 father.
5. Facts: The claimant's dad was shot by CF on the road after failing to stop when CF closed the road for protection when they had to stop and pick the pistol from the road..
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 is not payable as it resulted from the negligence of the claimant's dad.
7. Recommended Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for \$8,000 is denied.

[REDACTED]
CPT, JA
Foreign Claims Commission

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