

Claims Form

To: United States Army Foreign Claims Commission.

dead son - [REDACTED]

From: Name: [REDACTED]

Sex: MA

Address: Baqubah

* need a 3rd name for father claimant

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:

Baqubah

(close to police station)

(Town)

(City)

(Country)

My claim arose on:

Nov

5

05

1800 hrs

Month

Day

Year

Time

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

claimant and two other guys were shot at a bulldozer
cross road / intersection. This claimant's claim over is
made on behalf of the dead guy's family member.

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

\$ 5,000

local

[REDACTED]
(Signature of Claimant)

Subscribed before me this 11 day of Feb, 2006.

[REDACTED]
(Print Name)

[REDACTED]
(Signature)

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

AFZC-FC-JA

14 February 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED] 06-3/4-218

1. Claimants name and address: [REDACTED], Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 5 Nov 05, in Baqubah, Iraq
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$5,000 on 11 Feb 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 dead son.
5. Facts: The claimant alleges that US Forces 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. The incident did not appear in the SIGACT report. There is insufficient evidence to substantiate US negligence or wrongful act was involved.
7. Recommended Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for \$5,000 is denied.

[REDACTED]
CPT, JA
Foreign Claims Commission

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