

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

9 April 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED]: 06-3/4-572

1. Claimants name and address: [REDACTED], Muqdadia, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 26 JAN 06, in Muqdadia, Iraq.
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$5,000 on 8 APR 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 bodily injuries.
5. Facts: Claimant alleges that the Coalition Forces opened fire upon him and a few people he was traveling with. The other two received compensation for bodily injuries.
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. Without additional evidence, there is not enough to substantiate such a claim. Additional evidence is needed to reconsider this claim.
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

000155

# Foreign Claims Intake Form

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

From: Name: [REDACTED] Sex: M  
Address: MURQADIA

I am a citizen and national of: IRAQ

Name of Unit or US Personnel involved in incident: ~~DWS~~ C/14 EN MC9574 S696

Owner of property that was damaged: CLAIMANT

My claim arose at: MURQADIA / --- / IRAQ  
Town City Country

My claim arose on: JAN / 26 / 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.

SHOT UP BY CF. HIS TWO FRIENDS WERE PAID A CONDOLENCE,  
BUT HE WAS NOT. HE WAS SHOT IN THE SHOULDER AND LEGS AND  
HIS CAR WAS SHOT UP. WANTS \$2500 FOR INJURIES AND  
\$2500 FOR CAR DAMAGE.

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

\$ 5000<sup>00</sup> local ---

[REDACTED]

Signature of Claimant

[REDACTED]

Name of Attorney

Subscribed before me this 8<sup>TH</sup> day of APRIL, 2006.

[REDACTED]  
[REDACTED]  
Print Name  
[REDACTED]  
Signature