

DEPARTMENT OF THE ARMY OFFICE OF THE COMMAND JUDGE ADVOCATE 116th BRIGADE COMBAT TEAM, 42nd INFANTRY DIVISION KIRKUK, IRAQ, APO AE 09368

24 April 2005

Foreign Claims Commission

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	FY05-I9B-927
Kirkuk, Iraq	· ·

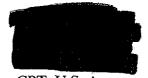
Mr.

I have considered your claim under the Foreign Claims Act, Title 10 United States Code Section 2734 as implemented by Army Regulation 27-20, Chapter 10.

Your claim is denied. The Foreign Claims Act does not authorize payment of claims related to combat activities, nor of claims where US negligence cannot be established. Your claim states that your brothers, who was being chased by Coalition Forces, ran into the house. You claim that your brother Hersh was shot and killed by Coalition Forces. The U.S. cannot pay your claim due to the lack of evidence showing Coalition Forces involvement and your brothers' death was incident to combat. I am sorry for your loss, and I wish you well in a Free Iraq.

Army Regulation 27-20 provides you the right to appeal this action. Deliver your appeal and any additional evidence to the Government Building FCC office within thirty (30) days of receipt of this notice.

Sincerely,



CPT, U.S. Army
Foreign Claims Commissioner

CLAIM FOR DAMAGE .OR INJURY DEATH			the reverse side and supply7 information requested on both						
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yahya .	SITE OF THE ACCIDENT Kirkuk al wasti district		2-,Name of claimant			ants &Ado	lress:	907	
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3.Gender Male		4.DATE OF BIRTH 1986	5MARITAL Single	STATU	S. 6,DATE& DA 3-7-203	AY OF ACC		ME:30 hrs	
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	<u>_,</u>			NJUR	Y				
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			WI	TNES	SES				
NAME				ADDRESS					
				Investigation officer Al- miqdad police station					
			Amount of	claim	(IN Dollars)	·		·	
2A PROPERTY 12b PERSONAL INJU				RY 12c WRONGFUL DEATH			12A	.2A	
		UNT OF CLAIM C TO ACCEPT SAID A	MOUNT IN F	ULL SA	TISFACTION AN	D FINAL SE	TTLEMENT (00026	
· -	TO CLAIMANT						14c.Date of 4/6/2005	14c.Date of claim 4/6/2005	
CIVIL PENALTY FOR PRESENTING FRAUDULES CLAIM				f C	CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS				