

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

AFZC-FC-JA

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED]: 06-3/4-001

1. Claimants name and address: [REDACTED] Baqubah, Iraq
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 13 December 2005, in Baqubah, Iraq.
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$6,000 on 24 December 2005.
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 wrongful shooting of claimant's brother.
5. Facts: Claimant states US Soldiers opened fire on his brother killing him. Claim is validated by commander on site at time. Man was apparently mentally ill and was running from US Forces with wires exposed on his body.
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.
7. Recommended Action: This claim is payable under the FCA for the above mentioned reasons. Consequently, this claim is approved for \$4,000.

[REDACTED]
CPT, JA
Foreign Claims Commission

000512

CLAIMS FORM

To: United States Army Foreign Claims Commission.

From: Name: [REDACTED]

Address: BAQUBAH

I am

a. A citizen and national of: IRAQI

b. A permanent resident of: IRAQ

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

A/1-10 FA

The property damaged is owned by: N/A

My claim arose at: BAQUBAH, IRAQ (Town) (City) (Country)

My claim arose on: DEC 13 2005 (Month) (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.)

CLAIMANT'S BROTHER WAS MENTALLY ILL ALLEGEDLY, AND WAS SHOT BY CF RUNNING AWAY WITH WIRES STRAPPED TO HIS BODY

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
DEATH OF SIBLING	\$6,000.00

Total:

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

\$ local

[Signature] (Signature of Claimant)

Subscribed before me this 24th day of DECEMBER, 2005.

[Signature] (Print Name)

[Signature] (Signature)

000513