



DEPARTMENT OF THE ARMY
HEADQUARTERS, 2^D BRIGADE COMBAT TEAM
(10TH MOUNTAIN DIVISION (LIGHT INFANTRY))
3RD INFANTRY DIVISION
CAMP LIBERTY, IRAQ
APO AE 09303



REPLY TO
ATTENTION OF

AFZS-LF-JA

Adjudication Date: 1 April 2005

MEMORANDUM FOR RECORD

SUBJECT: Claim of - [REDACTED]
Address - Athar Section, Abu Ghraib
Date Filed - 17 March 05
Date Received - 30 Mar 2005
Amount Claimed - \$2,500
Claimed Loss - Shooting

1. Facts - Claimant alleges that on or about 12 January 2005, his sister was killed when Coalition Forces fired upon his vehicle. Photos of the damaged vehicle are included.

2. Your claim is denied based on the following reason:

- Disapproved based on the combat activities bar to compensation;
- Disapproved based on improper claimant;
- Disapproved based on lack of evidence showing negligence of US personnel;
- Disapproved based on failure to show a loss;

Adjudication Explanation - **We are sorry and very sympathetic to your loss, however your claim must be denied for the following reasons: In your statement, you acknowledge that U.S. Forces were engaged in combat with insurgents or criminals, therefore your claim must be denied because U.S. law prohibits awarding compensation for claims due to combat activity.**

3. If you are dissatisfied by this action, AR 27-20 provides that you may request that the decision be reconsidered. Any such request must be forwarded to this office for FCC consideration. There is no prescribed format for each request. However, it should describe the legal and/or factual basis for relief. Claimants may also provide new and additional evidence to support their claim. Any request for reconsideration must be made, in writing, within 30 days of receipt of this letter. The FCC's action on reconsideration is final and conclusive by law.

4. POC for this memorandum is CPT [REDACTED] CDO BDE.

Claim# 04-IG5-114H
[REDACTED]

[REDACTED]
[REDACTED]
CPT, JA
Claims Judge Advocate

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