

DENIAL CLAIM FILE CHECKLIST (b)(3)(b)(6) Action Memo Denying the Claim Decision Memo Claim Summary Sheet Supporting Documents (ID Card, Ownership, Statements, etc.) 08-I92-T105-00002

CLAIM NUMBER: 08192T	05
	AMOUNT OF CLAIM: \$ 15000
CLAIMANT'S NAME	(b)(6)
DATE OF INCIDENT: 11 Oc	tober 2007 DATE FILED: 3 January 2008 DATE RECEIVED:
CLAIM TYPE:	
CLAIM IYPE:	
Vehicle Damage	Detainee Property Damage During Raids
SAF Damage/Injury	Real Estate Other
CLAIM AROSE FROM:	
Combat Activities	Non-combat Activities
CLAIM IS:	
Payable	Not Payable
REMARKS:	
Recommend Approva	(b)(2)(b)(6)
REMARKS: Recommend Approva Check Sigact REVIEWED BY:	(b)(3)(b)(6)
Recommend Approva	(b)(3)(b)(6)
Recommend Approva	(b)(3)(b)(6) TE REVIEWED: 3 San 08
Recommend Approva	(b)(3)(b)(6) FEREVIEWED: 3 CA 08 ICHIMAY FOR COMMENTS The event she is claiming fine (b)(3)(b)(6)
Recommend Approva	FCC COMMENTS FCC COMMENTS FAMOUR THE EVENT She is claiming for (b)(3)(b)(6) 195008
Recommend Approva	FCC COMMENTS FCC COMMENTS FAMOUR THE EVENT She is claiming for (b)(3)(b)(6) 195008



REPLY TO ATTENTION OF.

DEPARTMENT OF THE ARMY HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM MULTI-NATIONAL DIVISION.—BAGHDAD FOB FALCON, BAGHDAD, IRAQ APO AE 09361

AFZN-BC-FCC

Claim c (b)(6) -192-T105

ACTION

- 1. Facts: The claimant alleges that on 11 October 2007, her son was killed by US Forces.
- $2. \ \underline{Opinion}; \ The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.$
- 3. Authority: The Foreign Claims Act (10 U.S.C. \S 2734) as implemented by AR 27-20, Chapter 10.
- 4. Action: The claim is therefore denied.

(b)(3)(b)(6)

CPT, JA FCC 192

08-192-T105-0000



REPLY TO ATTENTION OF

DEPARTMENT OF THE ARMY HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM MULTI-NATIONAL DIVISION—BAGHDAD FOB FALCON, BAGHDAD, IRAQ APO AE 09361

AFZN-BC-FCC

Claim of (b)(6) 18-192-17105

ACTION

- 1. $\underline{\text{Facts}}$: The claimant alleges that on 11 October 2007, her son was shot and killed by US Forces.
- 2. <u>Opinion</u>: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
- 3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20. Chapter 10.
- 4. Action: The claim is therefore denied.

(b)(3)(b)(6)

CPT, JA FCC I92

CENTCOM 01/10/

08-192-T105-00005



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOREIGN CLAIMS COMMISSION
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

March 9, 2008

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-192-T105 Baghdad, Iraq

Dear Ma'am:

You have submitted a claim seeking compensation for the death of your son. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA), Title 10, United States Code § 2734, Army Regulation 27-20 (Claims) and Department of the Army Pamphlet 27-162 (Claims Procedures).

I have reviewed all the information included in your claim and the evidence from the resulting investigation. Unfortunately, your claim is not compensable. After reviewing your claim, it was determined that there was no evidence that US Forces acted either negligently or wrongfully. Accordingly, your claim must be denied.

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with Army Regulation 27-20. Any such request must be based on new or additional evidence and should be forwarded to this office. While there is no prescribed format for such a request, it must describe the legal and/or factual basis for relief. Any request for reconsideration should be made in writing within 30 days of your receipt of this letter. Thank you for your kind attention.

Sincerely,

(b)(3)(b)(6)

Captain, U.S. Army Foreign Claims Commission 192

> CENTCOM 011018 08-I92-T105-00006



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOREIGN CLAIMS COMMISSION
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

February 16, 2008

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-192-1105 Baghdad, Iraq

Dear Ma'am:

You have submitted a claim seeking compensation for the death of your son by US Forces. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA), Title 10, United States Code § 2734, Army Regulation 27-20 (Claims) and Department of the Army Pamphlet 27-162 (Claims Procedures).

I have reviewed all the information included in your claim and the evidence from the resulting investigation. Unfortunately, your claim is not compensable. After reviewing your claim, it was determined that there was no evidence that US Forces acted either negligently or wrongfully. Accordingly, your claim must be denied.

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with Army Regulation 27-20. Any such request must be based on new or additional evidence and should be forwarded to this office. While there is no prescribed format for such a request, it must describe the legal and/or factual basis for relief. Any request for reconsideration should be made in writing within 30 days of your receipt of this letter. Thank you for your kind attention.

Sincerely.

(b)(3)(b)(6)

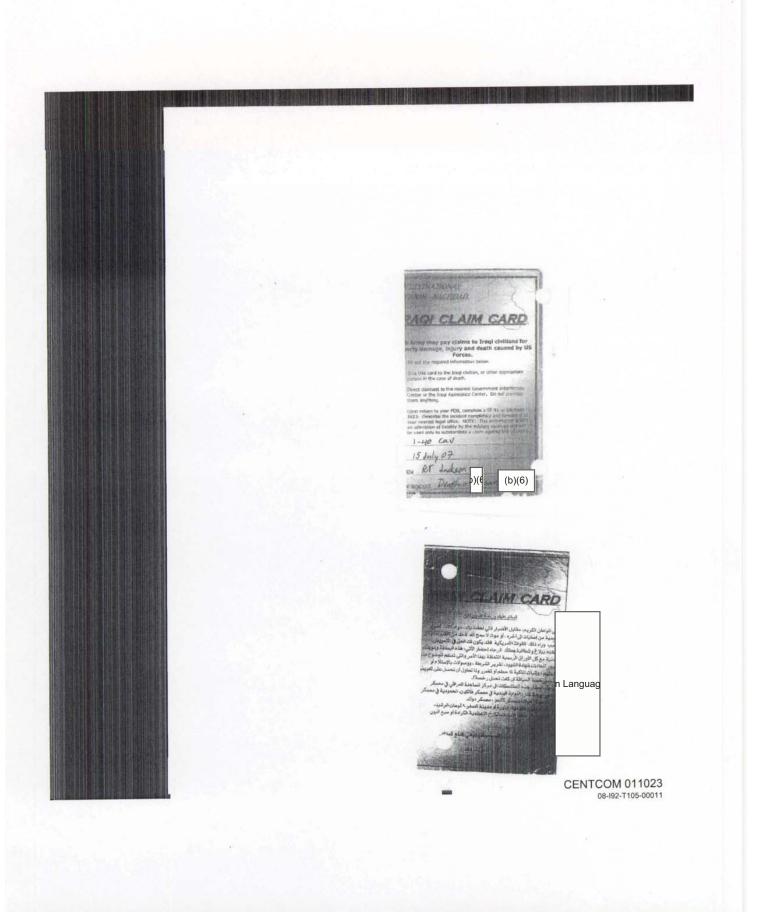
Captain, U.S. Army Foreign Claims Commission 192

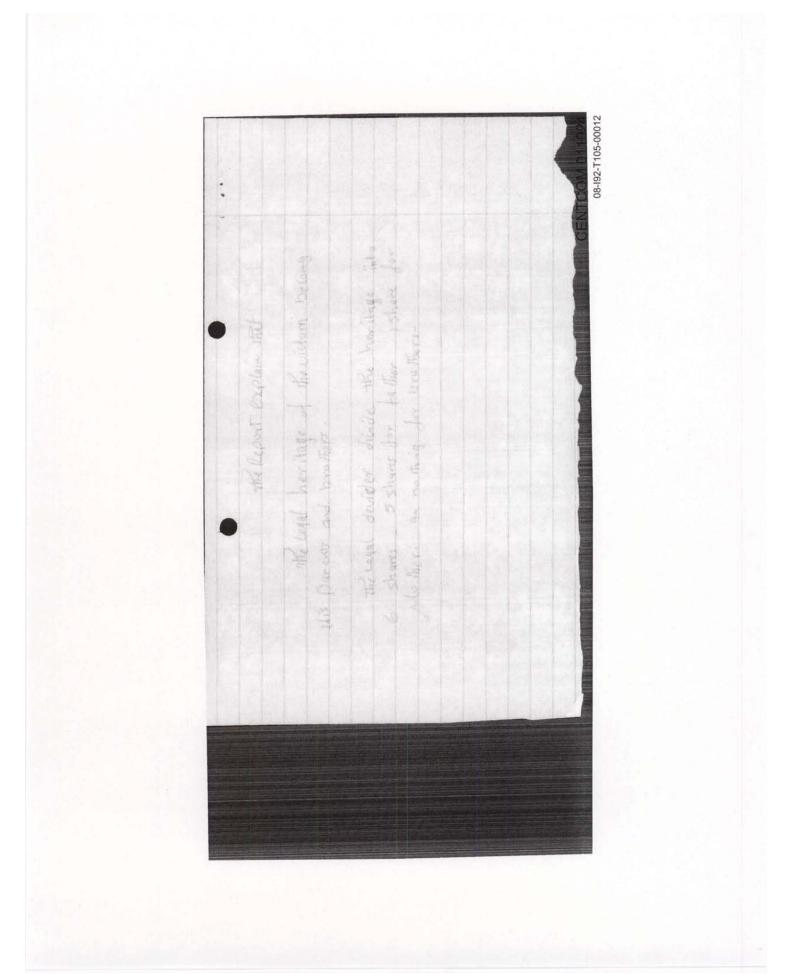
08-192-T105-000

	Claims Form طلب نظلم		
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Address:	(b)(6)	العنوان:	Reconsid
	Patricia		Clain
Iam Ido	(p)(e)		OI
a. A national ci	tizen of: Ser 3	المل جسية	Recomm
b. A permanent	resident of Alouve add tells	ب عنواني الدائم	because
c. Employed by		ت: اعمل لدي:	when I demal
The property da	imaged is owned by: (If the claim is made as an a	igent, parent, or guardian, at of for party sastaining the dur	tach a power of nage or
attorney or othe			
injuries.)	of hex son		
Death	were the standard for the standard floor the tax	ة معلوكة من: (إذا كان عنا التظلم قد	الممثلكات المتضورة
injuries) Death	were the standard for the standard floor the tax	ة معلوكة من: (إنا كان عنا التظلم قدم و أي البل من مطلبن رمسين. للافراد المتقدمين بالشكوي للإمسانت	الممتلكات المتصدر را التضريفية النظام ، أو املا التظلم بالأسفل ا
injuries) Death The control of the	و من قبل معثل أو قريب أو عائل فالرجاء العطار السندسكات ال أو الأضوار التي أصابتهم)	و اي دليل من معالين رسميين. للاقو اد المقتمين بالشكوي للإصابت	الممثلكات المكتمر را الكتمريها: التطام و ا إملاً الكالم بالإسفل ا
injuries) Death	were the standard for the standard floor the tax	و اي دليل من معالين رسميين. للاقو اد المقتمين بالشكوي للإصابت	الممثلكات المتضمر و ا التضر بهها التمثلم و أو إملاً التمثلم بالإسفال ا

My claim arose on: OCT T Aco و Month Day Year
تنطقعي قدم في: شهر دوم النبي
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.) While her 510 was working in Aldure Hurbert The coalution forces opened after business him
باختصار الدرج ما حدث والاضرار التي اصابتك حراة فلك ، سواه كانت جسنية او مستكانت والرجاء استعمال خلقية هذه الورقة إن لو تكن الاسطر تتكفي) الاسطر تتكفي)
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.)
peron kulled 15/5 00
Total: / 1 5 60.
لغرح بالتقصيل متى تضور والكلفة للممتلكات او للإصابات العسدية وتكلفتها والرجاء اضافة الشوتات والمنتمسكات والفواتيو الصنرورية لكل شي لوحده
الشن المتضرر كتلفته
المداني التكلفة

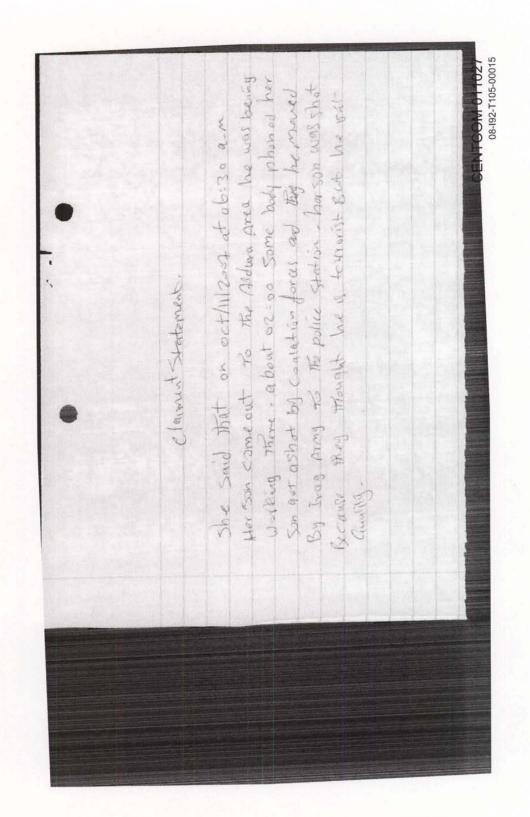
I was insured to the following av	tent against the damage or injury I have sustained.				
I was insured to the totlowing ex	No insurate				
	كات او الضرار الجندي المتضرر بعا يوازي:	لدي تامين على الممتا			
I claim as damages: (Indicate am	ount in U.S. dollars and local currency)				
5 15000	1.0.				
	د از بوازي (اكت بالتولار الأمريكي أو العملة المطلبة)	أطالب بتعويض للاط			
	العملة المحلية	S			
	V at the state of the incident described above				
I (have/have not) previously file	d a claim relating to the incident described above. بنقتيم بلاغ لهذه الحائثة البذكر , و بالإعلى) . بنقتيم بلاغ لهذه الحائثة البذكر , و بالإعلى	سابقا (قمت) - (لم اقد			
To the best of my knowledge, an above.	other claim (has/ has not) been filed relating to the incident				
above.	لم (قدم) (لم يقدم) لهذه الحائلة المذكورة بالأعلى	لحسن علمي طلب تط			
THIS CLAIM IS ACCURATE / CONSPIRES TO FILE, A DUPI	NOTE: BY SIGNING BELOW, YOU ARE SWEARING THAT THE INFORMATION PROVIDED IN THIS CLAIM IS ACCURATE AND TRUTHFUL. ANYONE WHO ATTEMPTS TO FILE, OR CONSPIRES TO FILE, A DUPLICATE OR FRAUDULENT CLAIM AGAINST THE UNITED STATES GOVERNMENT WILL FACE CRIMINAL PROSECUTION.				
حيحة وحقيقية . أى شخص يحاول تقديم جنانية حادة ويحاكم من قبل السلطات .	فل هذا النظلم فان تقدم على أن كل المعلومات المقدمة في هذا انتظام من صد أو بزور النظلم ضدهكومة الولايات لمتحدة الأمريكية سوف يواجه عقوبات	ملاحظة: بالنوقيع ال تظلم كالب أو مقتلق			
	(Signature of Claimant)				
	ر) الرجاء كذابة الأسد والتوقيع	(ترقع التطا			
Subscribed to me this	15 day of No. 2009.				
	(Signa	ture of Witness)			
		(Printed Name)			



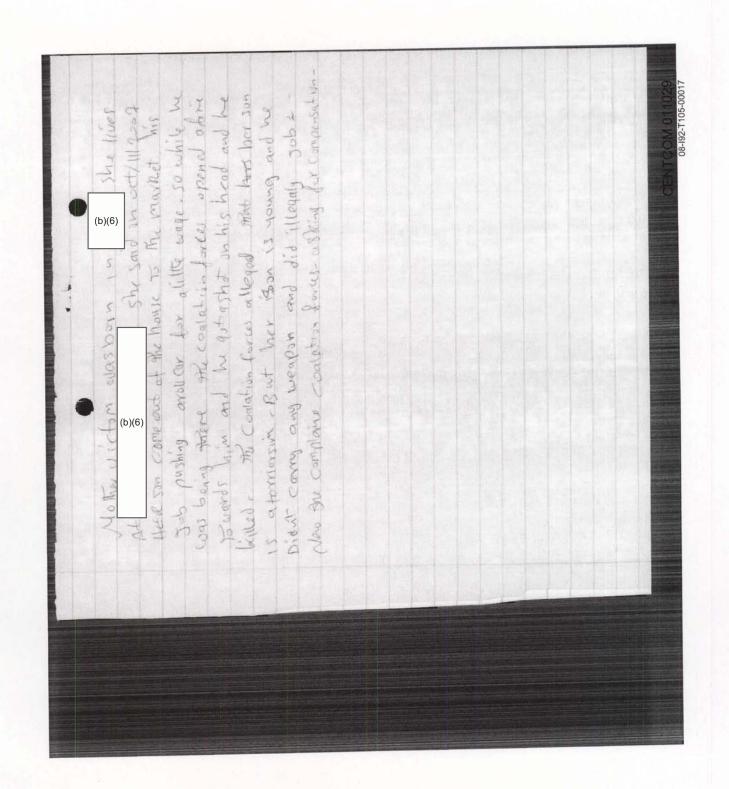


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Foreign Language Text, (b)(6) police Report Show that It was perpossible to towarm the Location : Accident and make dispersion because their is



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(b)(6), Foreign Language Text



Page 18 redacted for the following reason:
----Foreign Language Text, (b)(6)



