

Foreign Language Text

T580

335-N.2  
Appeal

- Terp
- Approve \$2,500-

Standard Form 1034 (EG) Revised October 1987 Department of the Treasury 1 TFM 4-2000 1034-121		PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL				VOUCHER NO.
U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION			10 DATE VOUCHER PREPARED		SCHEDULE NO.	
DEPARTMENT OF THE ARMY 24th FMC Camp Liberty, Iraq APO-AE 09344 DSSN: 5579			03-Sep-08		PAID BY 24th FMC Camp Liberty, Iraq APO AE 09344 DSSN: 5579	
			CONTRACT NUMBER AND DATE			
			REQUISITION NUMBER AND DATE			
PAYEE'S NAME AND ADDRESS  CLAIM #: 08-1K5-T586  (b)(6)			DATE INVOICE RECEIVED			
			DISCOUNT TERMS			
			PAYEE'S ACCOUNT NUMBER			
SHIPPED FROM			TO		GOVERNMENT BAL. NUMBER	
NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUAN-TITY	UNIT PRICE		AMOUNT
				COST	PER	
		In full settlement of the amount allowed by the Secretary of the Army, or an officer duly designated for such purposes under authority of 31 U.S.C. 3721 and AR 27-20, Chapter 10, upon the claim of the above named claimant for property damaged, lost, destroyed, captured, or abandoned in service.				\$2,500.00
(Payee must NOT use the space below)						TOTAL
						\$2,500.00
(Use continuation sheet(s) if necessary)						
PAYMENT:		APPROVED FOR	EXCHANGE RATE	DIFFERENCES		
<input type="checkbox"/> PROVISIONAL						
<input checked="" type="checkbox"/> COMPLETE		BY: (b)(3), (b)(6)				
<input type="checkbox"/> PARTIAL						
<input type="checkbox"/> FINAL						
<input type="checkbox"/> PROGRESS		TITLE: SFC, US Pay Agen		(b)(3), (b)(6)		\$2,500.00
<input type="checkbox"/> ADVANCE						
Pursuant to authority vested in me, I certify that the v						
3 SEP08		CF	Foreign Claims Commission IK5			
(Date)		(Authorized Certifying Officer)	(Title)			
ACCOUNTING CLASSIFICATION						
(b)(2)High			\$2,500.00			
PAID BY	CHECK NUMBER	ON ACCOUNT OF U.S. TREASURY	CHECK NUMBER	ON (Name of bank)		
	CASH	DATE		(b)(6)		
	\$2,500.00	3 SEP08				
When stated in foreign currency, insert name of currency.					PER	
When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.					TITLE	

Previous edition usable NSN 7540-00-980-2234

**PRIVACY ACT STATEMENT**

The information requested on this form is required under the provisions of 31 U.S.C. 82b and 82c, for the purpose of disbursing Federal money. The information requested is to identify the particular creditor and the amounts to be paid. Failure to furnish this information will hinder discharge of the payment obligation.

CENTCOM 017121

29604

08-1K5-T586-00002



REPLY TO  
ATTENTION OF:

## DEPARTMENT OF THE ARMY

Headquarters, 3d Brigade Combat Team  
101st Airborne Division (Air Assault)  
Camp Striker, Iraq, APO AE 09322

AFZB-KC-JA

03-Sep-08

### MEMORANDUM FOR RECORD

SUBJECT: Action on Claim of (b)(6)  
08-IK5-T586 / 335n-2

1. Facts.

Claimant alleges CF shot and killed her husband.

Claimant has requested \$2,500.00

2. Opinion. In order to form a basis for a claim under the FCA, it must be shown that the incident occurred outside the United States, and that it was caused by noncombatant activities of the United States Armed Forces or by the negligent or wrongful acts of military members or civilian employees of the Armed Forces. The claim packet contained credible evidence of damage caused by US forces not involved in combat operations.

3. Authority. The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.

4. Action. Settle this claim in the amount of \$2,500.00

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

CPT, JA  
Claim Attorney IK5

CENTCOM 017122

29605

08-IK5-T586-00003

**Serial Number Accountability Record**

The purpose of this form is to record the serial numbers on USD \$100 notes thereby providing a tracing mechanism to the recipient. Pay agents should turn this form in to their respective finance offices as part of the reconciliation process. Finance offices should retain this original attached to the original packets submitted by all paying agents upon clearing.

DATE OF TRANSFER: 3 SEP 08

PAY AGENT NAME: SFC (b)(3)(b)(6)

NAME OF IRAQI FIRM BEING PAID:

NAME OF PERSON ACCEPTING PAYMENT ON BEHALF OF FIRM:

(b)(6)

Print given name, father's name, grandfather's name, tribal name

Serial Number:

(b)(6) \_\_\_\_\_ through (b)(6) \_\_\_\_\_ and,

\_\_\_\_\_ through \_\_\_\_\_ and,

\_\_\_\_\_ through \_\_\_\_\_ and,

\_\_\_\_\_ through \_\_\_\_\_ and,

\_\_\_\_\_ through \_\_\_\_\_ and,

\_\_\_\_\_ through \_\_\_\_\_.

\* Use additional forms if needed.



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
HEADQUARTERS, 3D BRIGADE COMBAT TEAM  
101ST AIRBORNE DIVISION (AIR ASSAULT)  
CAMP STRIKER, IRAQ  
APO AE 09322



AFZB-KC-JA

01 September 2008

Foreign Claims Commission: IK5

RE: (b)(6) 08-IK5-T586 / 335n-2

Dear Claimant:

You have submitted a claim seeking compensation for the alleged damage caused by U.S. Forces. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA) Title 10, USC §2734, Army Regulation 27-20, and Department of the Army Pamphlet 27-162 Claims Procedures.

Your damages are of great concern to the United States. In accordance with the cited references and the facts our investigation into your claim, I find your claim is **compensable**. **The United States will compensate you for your losses in the amount of \$2,500.00.**

If you are dissatisfied with this decision and wish to present additional evidence, you have thirty (30) days submit and appeal in accordance with AR 27-20.

عزيزي مقدم الطلب

لقد قدمت مطالبة للحصول على التعويضات عن الاضرار المزعومة والتي لحقت بالمتلكات الشخصية الخاصة بك, تنظيم الجيش 20-27 و ادارة شؤون US وقد قمت بمراجعة طبيك وبدقة وفقا لقانون المطالبات الخارجية المعنون 10, 2734 الجيش 162-27 من اجراءات المطالبة.

ان الاضرار الخاصة بك تعتبر محط اهتمام لشعب الولايات المتحدة, وفقا للوقائع المذكورة في طلبك ومن خلال التحقيق اجد ان طلبك قابل للتعويض, 2,500.00,

اذا كنت غير راض عن هذا القرار و ترغب في تقديم ادلة اضافية, لديك ثلاثين يوما ( 30 ) و يقدم الطعن وفقا للمادة ( 27-20 ) من قانون الجيش. AR

(b)(6)

Sincerely,

Claimant

Date

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

(b)(6)

03 Sept 08  
Date

Captain, US Army  
Claims Attorney, IK5

CENTCOM 017124

08-IK5-T586-00005

29607



## GENERAL INFORMATION CENTER AL-MAHMODYIAH



### Sub/Appeal request

I am (b)(6)  
I had made a claim in No. 335 N-2. At 7/Apr/2008 and the case was rejected, I would like you to appeal my case and I offer a new evidences to support my case:-

1. I present the court and the police investigation reports, to prove the caused of death is a fire shot in the chest by MNF soldiers inside my house
- 2.
- 3.
- 4.
- 5.

(b)(6)

The claimant signature

(b)(6)

The claimant name

The date:- 1/July/2008.

appeal application.

I am

(b)(6)

I was aware the case No. [redacted] on  
04-07-2008 and the case was refused  
I want to review the case and I have  
more additional proves as the following  
1- I send a new investigating papers  
which is o.k.-ed according to the rules  
and its in front of Mahwadia ~~investigating~~  
investigating court, which proove  
and ascertain the correct happening of  
the case, and the correct proves and  
evidence which confirmed by the  
judge of investigation of Mahwadia  
and the Police officer. I am asking  
to agree the case of appeal with  
respect.

Sig of  
claimant

(b)(6)

dated: 07-01-2008

CENTCOM 017126

08-1K5-T586-0007

29609

Page 8 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)





REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**

Headquarters, 3d Brigade Combat Team

101st Airborne Division (AASLT)

Camp Striker, Iraq, APO AE 09322

06-Jun-08

Foreign Claims Commission IK5

RE: Claim# 08-IK5-T586 / 335n-2

(b)(6)

Manmudiyan

Dear Claimant:

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

Allow me to express my sympathy for the loss you have suffered however, in accordance with the cited references and the investigation into your claims, I find that your claim is **not compensable**. After an exhaustive search of records of the date in question, your claim was **denied** for the following reason(s):  
Lack of Evidence – There is not enough evidence to prove that the proximate cause of your damages is the US Forces' negligence.

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with AR 27-20. Any such request must be forwarded to this office for Foreign Claims Commission consideration. 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, US Army  
Claims Attorney IK5

CENTCOM 017128

08-IK5-T586-00009

To the investigating judge of Mahmudia  
Subject:- claim

On the date of 08-21-2006 the U.S. army  
raid our house in (b)(6) suddenly,  
and it killed my son who called  
(b)(6) while he

was sleeping in his bed, for no  
reason, and when we asked them why?  
The reply it is my mistake, because  
one of the U.S. soldier was in unstable  
condition, ~~they~~ then he transferred  
to Mahmudia hospital. So I am asking  
from your court to take the logical  
processes and open investigating for  
this case, and inform the site of  
relation, about it. Thank you with  
respect.

sif, & stamp  
of the Mahmudia  
investigati  
court

sif,  
the mother of  
the killed Person

(b)(6)

04-25-2007

CENTCOM 017129

08-1K5-T586-00010

Page 11 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)

(b)(6), Foreign Language Text

to the Appeal court - Baghdad Korkh

Exactly Same as before

CENTCOM 017131

29614

08-1K5-T586-00012

to the Al Rashid Al-Jarshi Police office  
claim.  
as before

Al-Rashid Police office enter  
to Mahmooda investigating judge  
Voter orders for the claim of (b)(6)  
(b)(6), we investigate the claim,  
and the claim against the U.S. Forces for  
Killey had son (b)(6) 1/2 haif in his  
house on the date of 08-21-2006,  
Your decision Please

sig.  
Police officer

To The police officer

- 1- we took the claim and attached it  
to the papers
- 2- we took the testimony of the killed  
man wife in front of me
- 3- I took the testimony of the witness  
in front of me.
- 4- Preparation of disclosure and diagram  
for the place of accident
- 5- attachment of death certificate
- 6- will be send to the general  
prosecutor.

stamp & sig.  
of the court  
judge. (b)(6)

sig.  
The judge

(b)(6)

(b)(6)

04-25-2007

04-25-2007

CENTCOM 017133

Pages 15 through 16 redacted for the following reasons:  
-----  
Foreign Language Text, (b)(6)

Date: 08-21-06

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

Death certificate No.

Name:-

Birth date:

Line #

(b)(6)

(b)(6)

death close at the hour 03:00 in the morning of

The day: 08-21, 2006

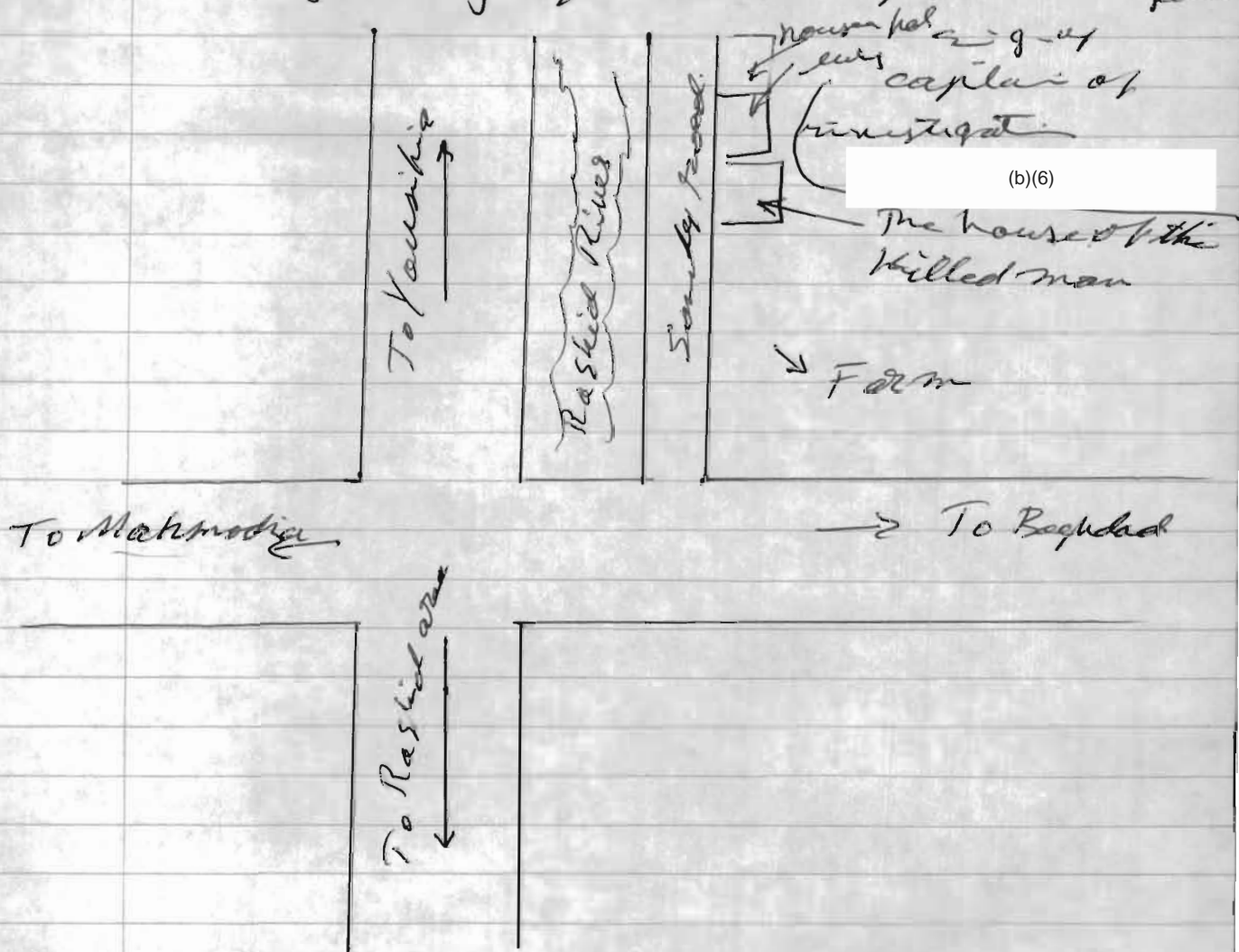
Cause of death: fire shot down the chest  
by the U.S. Forces. The body handle to  
Rasid Police office



Foreign Language Text, (b)(6)

Discloser and diagram to the place of accident where he killed

- 1- The accident (b)(6) far away from our Police office
- 2- The place of accident is house but living of the killed man (b)(6), located at the entrance of Yasirbia, by the river
- 3- Because the accident happened on the 08-21-2006 I did not find anything of helpful for investigation

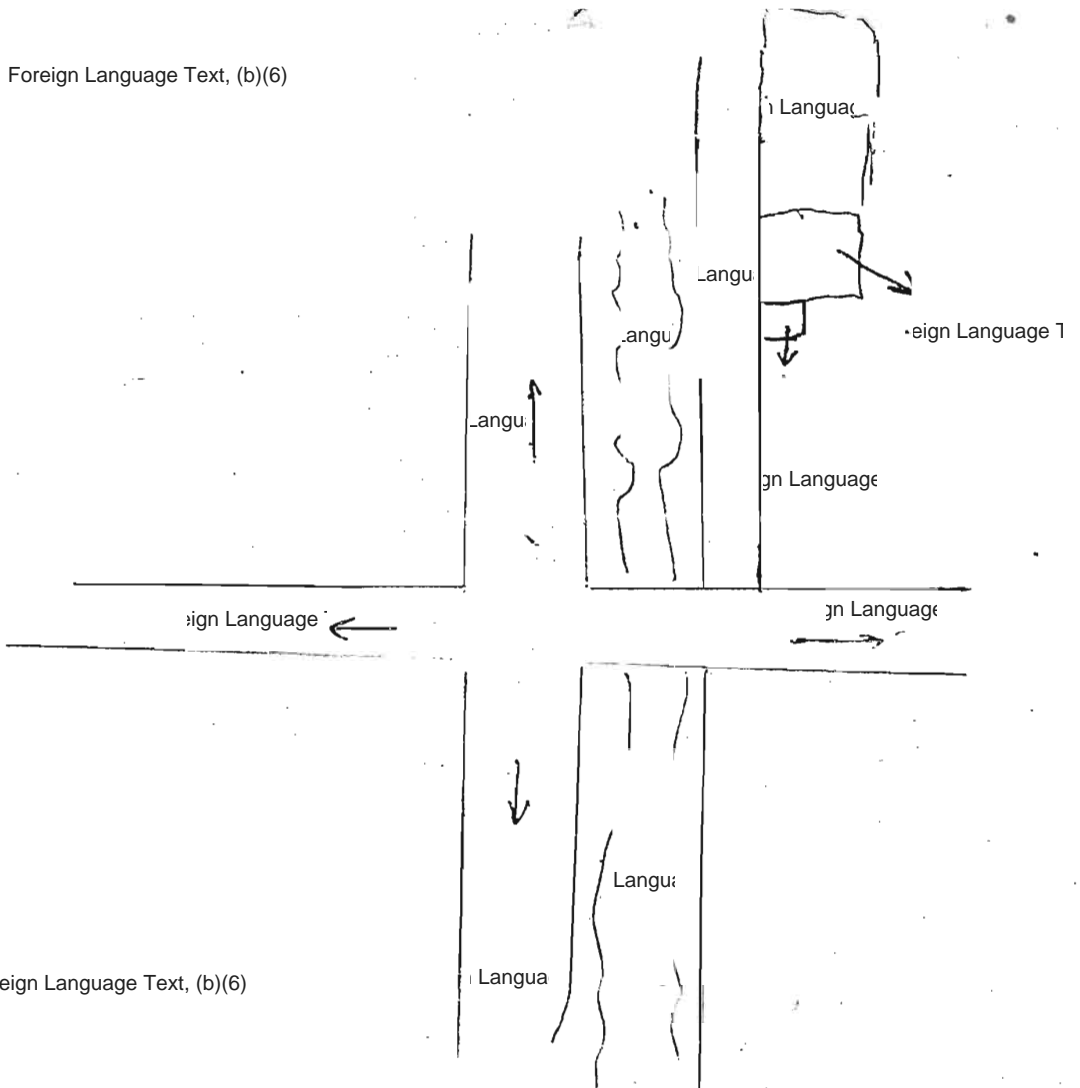


sig. of captain

(b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)



Foreign Language Text, (b)(6)

M 017139

08-1K5-T586-00020

29621

Al Rashid Al Janobi Police office 04.28.07

witness testimony of

(b)(6)

On the date of 08-21-2006 at the  
hour 02:00 after midnight, I heard fire  
shots, and during that my neighborhood  
(b)(6) call me by phone and told  
me the U.S. Army entered the area, and  
it open fire shots before entering the  
house randomly, and after 30 minutes  
at the most knock on the door of  
my house (b)(6)

and he is saying and said the  
U.S. Forces killed my brother, and  
when I get out for him, he told me  
that the U.S. Forces entered the house  
so I went with him to the killed  
man house, and I found that

(b)(6)

in his hand  
and injured by gunshot in the chest  
area on the left hand side in the  
heart exactly, and also I found  
multi empty shots on the ground,  
also black gloves and spot of blood  
and also medical cotton over the  
killed man. and because I am one  
of the Police men, I made a call to  
manager of Mahmudia police office  
and he came to the place of accident  
with three convoy guided by major  
Salman, and the body transported  
to Mahmoudia hospital by one of the  
convoy vehicles. This is my testimony

sig-

Captain Police of  
Al Rashid office

sig-

(b)(6)

Page 22 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)

Rahashid Police Office center 04-29-07  
Testimonials of who have the personal rights  
(b)(6), the wife

of the killed person

On the date of 08-21-2006. The U.S.  
Forces raid our house located on the  
entrance of (b)(6). ~~from~~ <sup>These</sup>  
soldier entered the house with ~~entire~~  
one of them went up stair to the  
roof of the house, one entered the  
kitchen, my husband was standing  
by me in the bed room, and he  
kept his arm upside, but the U.S.  
soldier who is in the kitchen. He fix  
his gun towards my husband and  
starting opening fire towards my  
husband who killed at the time,  
and they try to treat him, and  
after 50 minutes a U.S. air plane  
come and it tooks the soldier,  
and the left my husband, he  
died as a result of his injury.  
I am asking ~~com~~ for raising a case  
and asking compensation. This is my  
testimony.

Signature of the investigator      Signature of  
Captain      the claimant

(b)(6)

(b)(6)

Page 24 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)

Al-Rashid Police office 04-29-2007

Testimony; has the personal right

(b)(6)

(b)(6)

the wife of the killed person

(b)(6)

On the date of 08-22-2006 and at the morning the Family of my husband call me and told me that my husband killed by the U.S. Forces, while I am in a visit to my family in district. and when I come to my house, actually I found my husband killed by the U.S. Forces on the date of 08-21-06 I ask a claim and compensation. and this is my testimony

(b)(6)

Sig. of

the Police captain

(b)(6)

(b)(6)

Police investigator

CENTCOM 017144

08-1K5-T586-00025



Page 26 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)

The head of appeal ~~court~~ court Reported  
The appeal court of Mahmoudia  
Case No: - dated 04.30.07

The testimony of the private right claimant  
Name: - (b)(6)

Age (Birth date) (b)(6) live in (b)(6)

Personal id. No (b)(6)

She testify after sworn the following:-

On the date of 08-22-2006 an grenade  
fire happened about 01-00 after midnight  
while a U.S. Patrol in the street  
entered ~~the~~ our house they brought  
with them, the family of my uncle  
who live by our house because  
they are scared of the fire shooting  
because they are sleeping outside,  
and I think they exchange fire with  
the national guards because the  
national guard they did not know  
about them, and they did not  
inform them about, and during  
their entering to the house, my husband  
walked towards the door, because  
he afraid of may be they will break  
the door, and when my husband  
come back and entered the receiving  
room, an american soldier open fire  
from the door of the near room  
towards outside, and when my husband  
entered and turn towards this soldier,  
and opened fire and injured him,  
we starts out crying, and the responsible  
of the Patrol starting reprimanding the  
soldier, and they ask us to clear the  
house, at that my husband died. I am  
right now asking claim against the U.S. Forces  
also asking compensation.

Signature of claimant  
court

Page 28 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)

The head of appeal court Baghdad  
Appeal court of Mahmoodia  
Case No. - dated: 04-30-07  
Testimony of the claimant of Personal right  
Name: (b)(6) id no.

(b)(6)

after sworn

On the date of the accident, the 08.27.07  
the U.S. Forces and about the hour 01.00  
after midnight raid <sup>our</sup> house and it  
seized the family inside the house,  
and the U.S. Forces started fire shots  
from inside the house to outside, while  
they protected themselves inside our  
house, and during that they brought  
the family of my aunt, and they  
put with us because they afraid on  
them from the shooting of fire out  
side, and when my husband opening  
the door, a soldier entered on us  
inside the hall, and the U.S. soldier  
opened fire towards the outside  
direction and he turned to my  
husband who called (b)(6)  
and opened fire towards him, and  
after he ask us to forgive him, they  
try to save him, but he died, I am  
asking a claim against the U.S. Forces  
and asking compensation for that  
stamp of the (b)(6)  
of the judge

CENTCOM 017148

08-1K5-T586-00029

Page 30 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)

Al-rashid Al-Sanahi Police office  
dated:- 04-25-2007  
to the investigating judge of Mahmudia  
Your decision dated 04-25-2007  
1- I took and wrote the testimony  
of the witness right of. (1)

(b)(6)

(2)

(b)(6)

(b)(6)

and add

it the investigating papers, we will  
send it to you, to fix their testimonies  
judicially. (3) I wrote down the testimony  
of the witness

(b)(6)

and collected to the investigating papers, we  
send to you to fix it judicially.

4- we did prepare a disclosure memo  
and diagram to the place of accident  
and add it to the investigating papers  
5- we do attached the death certificate  
of the killed person

(b)(6)

(b)(6)

together with the investigating  
papers - please review it, your  
decision, with respect.

s/g,

Cpt. of investigation

(b)(6)

To the Cpt.

I wrote down the testimony of the witness  
rights each of

(b)(6)

and

(b)(6)

(b)(6)

all together with the papers.

it will be send to the general  
prosecutor

Stamp & sig. of  
judge

Page 32 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)

Appcal court of Matroudia 06.05.07

The Testimonie of The witness: (b)(6)

(b)(6), his job is a police man  
working in Al-Rasheed Al-Jawahir, known  
by the Passport id. No (b)(6). he testified  
in front of the appeal judge the following  
On the date of 08-22-2006. The  
U.S. Forces entered the house of the killed  
man (b)(6) and

that happened after the heard  
were shots in the street. They entered  
his house to protect them selves  
inside his house, but when they were  
inside the house the a braid, one of  
the U.S. soldiers shoot him, when  
they thought he is an enemy to  
them, and after that they tried to  
save him, but he was died, and  
I heard that by phone call, and  
when I went to the accident location  
I saw the killed man fall on his  
bed, and there a coten over his  
injury in the chest, and I have  
seen the gloves of the american  
who treat him, and I knew that  
the U.S. soldiers killed him by  
mistake.

Signature of  
the witness

Signature of  
the witness

(b)(6)

(b)(6)



Page 34 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)

2007

Al Rashid Al-Jarabi Police Office 06.07.

To the investigating judge of Hammadia

Your decision dated: 04.30.2007

We send you the witness (b)(6)

(b)(6), to take his testimony judicially, for your review and decision with respect.

Cpt. Investigating officer

(b)(6)

(b)(6)

To the officer: closing

1 - I took down the testimony of the witness (b)(6) and

edit to the papers

2 - give a copy of the investigation to the claimant.

3 - According to the memo of the MAF authority N.C. (b)(6), so the Iraqi court haven't the right to take any any thing towards the case if its civil or criminal, for that reason I decided to close the case.

Sig. stamp of the judge.

Page 36 redacted for the following reason:  
-----  
Foreign Language Text, (b)(6)