

40059

area

foreign language text

13

FOREIGN CLAIMS COMMISSION COVER SHEET

Claim Number: 4.0076

USARCS NUMBER: 1401-05

Date Received: 12-Sep-05

Name: (b)(6)

Address: Sadr City (b)(2)High Baghdad, Iraq

Claim Summary: Claimant's husband was shot by Coalition Forces when he failed to stop for a U.S Forces patrol.

Date of Incident: 07-Apr-05

Amount Requested: \$5,000.00

Recommendation: [] Approval [X] Denial []
Investigation D.C. 1

Date Reviewed by OIC:

Claim Is: [] Approved in the amount of \$_____.

Denied. Denial Code 1

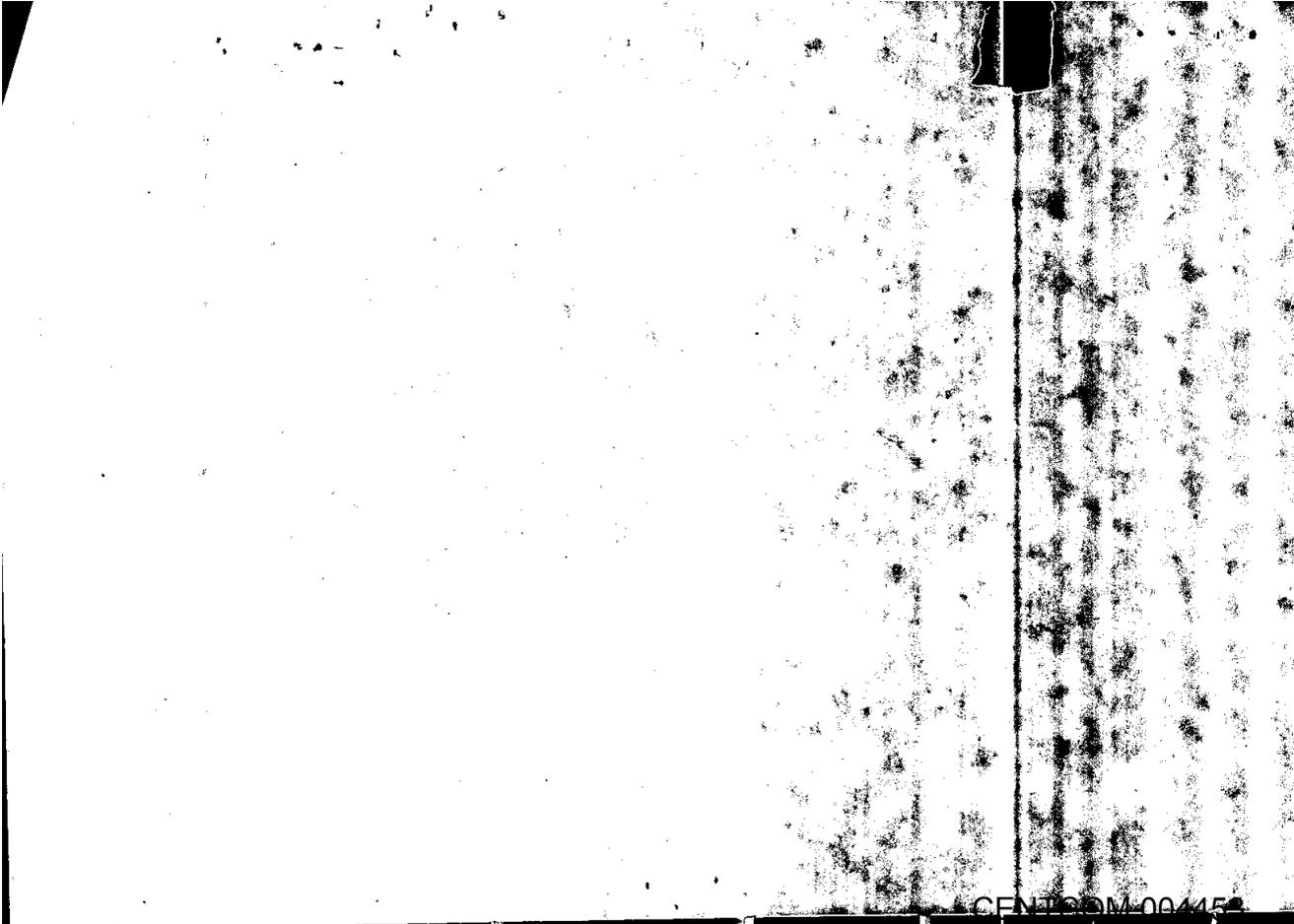
[] On hold pending investigation findings.

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Pages 10 through 14 redacted for the
following reasons:

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REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 2D BRIGADE
3D INFANTRY DIVISION
FOB LOYALTY, IRAQ
APO AE 09380

AFZP-VB-JA

Date: 13-Sep-05

MEMORANDUM FOR RECORD

SUBJECT: DISAPPROVAL OF FOREIGN CLAIM II8T1401-05:

Claim of: (b)(6)

Address: Sadr City, (b)(2)High Baghdad, Iraq

Date Filed: 12-Sep-05

Amount Claimed: \$5,000.00

Claimed Loss: Claimant's husband was shot by Coalition Forces when he failed to stop for a U.S Forces patrol.

Claim Number: 4.0076

1. Your above-mentioned claim is disapproved.
2. This incident **does not** comply with the provisions of the Foreign Claims Act, 10 U.S.C. Section 2734, as implemented by Chapter 10, AR 27-20. This claim was filed in a timely manner. This claim did occur outside the United States.
3. The reason for the disapproval of this claim is code 1:
 1. Loss was a result of Combat Operations
 2. The filing claimant is an improper claimant
 3. Claim lacked evidence supporting U.S. negligence or fault
 4. Claim lacked evidence to prove a loss
 5. Loss was a result of Anti-Coalition Forces
4. 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 such a request. However, it should describe the legal and/or factual basis for relief. 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.
5. POC for this memorandum is SPC(b)(3), (b)(6) FOB Loyalty, @ VOIP

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

CPT, JA
FOREIGN CLAIMS COMMISSION

CENTCOM 004463

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Claims Form

To: United State

From: Name. (b)(6)

Address: ~~Baghdad - Iraq - Al Sader City~~

I am

- a. A citizen and national of: Iraq
- b. A permanent resident of: Baghdad
- c. Employed by: _____
- d. Check one () An insurer () Not an insurer
- e. Check one () A subrogee () Not a subrogee

(b)(6)

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

USA Army



The property damaged is owned by: (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evidence of authority and fill in the form below for party sustaining the damage or injuries.)

My claim arose at: Baghdad (Town) Al Sader City (City) Iraq (Country)

My claim arose on: 4 (Month) 17 (Day) 2005 (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.)

on 10/16/005 USA patrol shot
the manly Bus (Kia) when become near
to patrol & not stop. the accident occur
near Al Mostensary Sq. at 3 o'clock P.M.
her husband transfer to Hospital Inqit to all 1st aid
done for him (operation done for Bullet injury in his back)
but fail to think & Die.

Describe nature and extent of property damage or personal injury sustained as a result of the above incident.

Subst

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
USA army shot her husband & Die for Bulb injury in his back (chest)	
Total:	5000 \$

I was insured to the following extent against the damage or injuries I have sustained:

(Name) (b)(6) (Address) Baydaad Al-Sader city

I claim as damages: (Indicate amount in U.S. dollars and local currency)
\$ 5000 \$ local 7,500,000 ID (b)(6)

(Signature of Claimant)

foreign language text

Subscribed before me this 4 day of 7, 2005



(Print Name)

(Signature)

(b)(6)