



DEPARTMENT OF THE ARMY
HEADQUARTERS
1ST STRYKER BRIGADE COMBAT TEAM
25TH INFANTRY DIVISION
FOB WARHORSE, IRAQ
APO AE 09336

REPLY TO
ATTENTION OF:

Foreign Claims Commission I8Y

(b)(6)

Baqubah
Claim 09-1/25-0304

Dear Claimant:

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, and Department of the Army Pamphlet 27-162 Claims Procedures. Allow me to express my sympathy for your loss, 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:

- a. There is not enough evidence to prove your claim.
- b. The evidence does not show that United States Forces caused the damage.
- c. The evidence shows that the damage was caused during combat.
- d. The evidence shows that the damage was caused by your own negligence or wrongdoing.
- e. Other: _____.

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.

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

Captain, US Army
Foreign Claims Commission I8Y

CENTCOM 008511



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موضوع / رفض قضية

أ- ان الشكوى التي قدمتها قد تم رفضها للأسباب التالية :

A. - لم توجد ادلة كافية لتثبت صحة القضية .

B. - الادلة تبين ان قوات التحالف لم تتسبب بالحادث .

C. - الادلة تبين ان الاضرار قد حصلت اثناء مصادمات .

D. - الادلة تبين ان الحادث قد حصل نتيجة اهمالك او الخطء الذي تسببت فيه .

E. - اخرى ----- .

ب- اذا كانت هذه المرة الأولى ينظر بقضيتك في هذا المكتب ,تستطيع ان تقدم استئناف خلال (30) يوما من استلام هذه المذكرة، للاستئناف كذلك يجب ان يجلب المشتكى المزيد من المستمسكات لاثبات صحة القضية، اذا ارسلت القضية للاستئناف فيما بعد و لم تضيف مستمسكات اخرى سوف ترفض القضية للمرة الثانية.

In the name of God

Sir. The in charge of foreign claims commission in
Diyala , Esquire .

Dear sir :

At 7:30am 12 June 2007 I was sleeping with my
family in our house located in (b)(6) , sudd-
enly waking with a voice of the US helicopter, after 1/4 hr its shoot
one rocket toward one empty house in behind our, resulted the damage
in our house, followed another rocket fell in my house resulted the
more damage, killed my son the boy((b)(6), (b)(3)) his body shown in
the photos facing your justice, one of my sons work as (b)(6) , he
picked up his brother's body & the damage photos. We can't pull out
the body because the US forces surrounded the place & the cross-
fires with the bad secret situation, so we buried the body in the
garden. At 18 June 2007 we pull out the body after the situation is
good went it to the forensic medicine to issue the death certificate
to my boy.

So I hope from your justice to check this incident to
help me with 5000 USD compensation about killed my son .

With thank & respect...

(b)(6)

(b)(6)

(b)(6)

tant

Agent Lawyer

(b)(6)

27 Nov. 2008

CENTCOM 008513

Evidence of the witness

(b)(6)

live in Baqu-

(b)(6)

said the following:

At 7:30am 12 June 2007 one of the US helicopters shoot a rocket on one houses behind our, resulted the damage in the back part of our house, after few minits its shoot another one on our house resulted more damage & killed my brother (b)(6), we can't transported him to the hospital due to the bad secret situation in the area becuase of the crossfires, I pickedup photos to my brother's body to issue the death certificate to him later also to the damage, when I work aphotographi painter. We pullout the body at 18 June 2007 transported to the forensic meeinin to issue the death certificate. This my evidence...

Witness

(b)(6)

18 July 2007

Evidence of the witness

(b)(6)

live in

(b)(6)

(b)(6)

region, said:

At 7:30am 12 June 2007 one of the US helicopters shoot on rocket on one houses in our street, another rochet on my nieghbor's house (b)(6), killed his son (b)(6) & damaged his house, when the purposed house is located behind that, the 2nd rocket may failed the goal with meters. This my evidence...

Witness

(b)(6)