



REPLY TO
ATTENTION OF:

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

Foreign Claims Commission I8Y

(b)(6)

Al-Mafraq
Claim 08-2SCR-0003

Dear Claimant:

You have submitted a claim seeking compensation for your loss. 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 shows that United States Forces did not cause 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.

Sincerely

(b)(6)

Captain, US Army
Foreign Claims Commission I8Y

CENTCOM 007868



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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 الخطيء 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.

No: (b)(6)

Date: Jan 9, 2007

In the name of God (Allah) the gracious
The corner office report

To/ Al-Sharqi Police station

I am the signed bellow, MD: (b)(6), I examined the body of the
named (b)(6) that was sent to us with the form for the
corner's office that was prepared from Al-Mufraq Police Station, numbered -----,
dated Dec 7, 2006, in the corner's office in Ba'quba on Dec 7, 2006 at ???? and the
results were as following:

The diagnosis description of the body:

Body formation (fat, medium, skinny), (b)(6) skin color, tan, eye color
black, age (b)(6) rs.

Other description of the body that will identify the body (tattoo, birth defect, any
amputation..... ect.), to be marked on the body and especially the unknown bodies.

Clothing description:

(b)(6)

Wrist paper, none, death stiffness, not completed the death spots (back), in the back,
decomposition, did not start.

Outer damage

Entrance and exits wound of bullets in the head, abdomen and chest.

Head

Scalp: Fractured

The skull and its base:

Meninges: ruptured

Face bones:

Mouth and teeth:

stamp of the Diayala Heath
division
Corner's office

Neck

Throat and trachea: Congested

Hyoid bone: ruptured

Esophagus: ruptured

The interior of the chest

Collarbone, ribs, sternum bone: Ruptured

Heart and blood vessels:

The side cover and lungs:

Diaphragm:

CENTCOM 007870

The Abdomen area

Stomach and intestines: Ruptured

Liver, pancreas and spleen:

Kidneys, ureter, bladder:

Spinal column, spinal cord, pelvis bone

Uterus and its subjoined: Fractured

Hymen:

Same sex sexual activity signs:

Upper limbs: Broken bones of the right shoulder

Lower limbs:

Discussion

I found a bullet that was settled in the clothes of the deceased; it was packed and sent to Al-Sharqi Police station to identify the type of bullets and the type of weapon used.

Conclusion

- 1- It appears from the descriptions of the autopsy that was seen in the body of the victim (b)(6), that the cause of death is the fractures and ruptures of the skull, brains and the chest interiors and also the ruptures of the abdomen are due to the injuries from (4)bullet that went through the body.**
- 2- It appears that the distance between the bullet and the deceased (the victim).**
- 3- The direction of the bullets is from front to back and left to right.**

Signature

(b)(6)

MD

Specialized in corner and autopsy

Page 5 redacted for the following reason:

Foreign Language, (b)(6)

Al-Sharqi Police Center
Feb 12, 2007

The honorable investigation judge of Baquba center

- Your decision dated Dec 12, 2007, for information.
- Attached is Diayala Province committee of executing the law numbered 10 of the year 2004. On Feb 4, 2007, the request is to provide them with the investigation reports, please examine and make the right appropriate decision.

Signature

The Officer

- 1- I looked into the committee of execution of the decision of the year 2004 and according to that; I am sending a copy of the investigation report requested.
- 2- ????
- 3- It will be presented to the district attorney.

Signature
Judge

(b)(6)

Feb 12, 2007

Pages 7 through 8 redacted for the following reasons:

Already Reviewed and Redacted for Release

In the name of God (Allah) the most gracious

On Dec 7, 2006, my husband (the victim) (b)(6) went to work and in his way back at about 1200 hours, there was a firefight between the insurgents and the Coalition Forces, my husband was passing on the road towards the house when the firefight had begun and random fire shots hit my husband and killed him. My husband's body was transported to the corner's office, however, I am filling a complain and asking you to reimburse me for the death of my husband, my husband's work was the only income and I don't even get his paycheck anymore because of my living condition and the security conditions.

Signature

Victim's wife

(b)(6)

May 11, 2008

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Pages 10 through 11 redacted for the following reasons:

Foreign Language Text, (b)(6)