

*Redacted*

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UNITED STATES MARINE CORPS

MULTI-NATIONAL FORCE-WEST  
CAMP FALLOUJAH, IRAQ  
UNIT 7328  
FPO AE 09509-3920

IN REPLY REFER TO:

5830

SJA

JUN 21 2005

FIRST ENDORSEMENT on : AR 15-6 Inv of 5 June 05

From: \_\_\_\_\_, Multi-National Force-West  
To: \_\_\_\_\_, Multi-National Corps-Iraq (ATTN SJA)

Subj: RESULTS OF INFORMAL AR 15-6 INVESTIGATION CONCERNING  
THE DEATH OF IRAQI NATIONAL ON 19 MAY 2005

1. Forwarded, concurring with the report as approved by the Commander, 155<sup>th</sup> Brigade Combat Team. I have reviewed the escalation of force and specifically concur that the force used in this situation was reasonable. I used multiple warnings before he engaged what he considered to be an unoccupied potential vehicle borne improvised explosive device parked just off ASR Christy.

Copy to:  
155<sup>th</sup> BCT (endo only)  
IO (endo only)  
Files



DEPARTMENT OF THE ARMY  
155<sup>TH</sup> BRIGADE COMBAT TEAM  
FOB KALSU, IRAQ  
APO AE 09325

155-BCT-CDR

22 May 2005

MEMORANDUM FOR [redacted], HHC, 1-198 AR, FOB Kalsu, Iraq

SUBJECT: Appointment of AR 15-6 Investigating Officer

1. You are appointed as an investigating officer to conduct an investigation into all the facts and circumstances surrounding the death of an Iraqi National on 19 May 2005. A copy of the Spot Report is attached. You will conduct the investigation IAW AR 15-6.

2. Your duties as an investigating officer will take priority over other duties. You will use the informal investigation procedures detailed in AR 15-6, chapter 4. You will make specific finding of facts that are supported directly supported by the documented evidence or reasonably based upon circumstantial evidence. Based upon all factual findings and conclusions, you will make recommendations on all relevant issues you identify in the course of your investigation.

3. If, during your investigation, you suspect that persons you intend to interview may have violated any provision of the Uniform Code of Military Justice (UCMJ) or any other criminal law, you must advise them of their rights under Article 31, UCMJ. Rights warnings and waivers will be documented on DA Form 3881. If during an interview you begin to suspect criminal conduct on the part of the witness, you must stop the interview and advise the individual of his or her rights under Article 31, UCMJ.

4. Whenever possible, witness statements will be sworn and recorded on DA Form 2823. If you conduct any witness interviews telephonically, you will prepare a memorandum for record memorializing the interview. Prepare your report using DA Form 1574. Include with your report all documentary evidence, sworn statements, and other information or evidence you considered as a basis for your findings and recommendations. Submit the original report through command channels to [redacted] 155<sup>th</sup> *Commander* BCT(ATTN: SJA) no later than 10 days after your receipt of this memorandum. Any request for extension must be submitted in writing or by e-mail through your legal advisor to the SJA for approval.

5. Before proceeding with the investigation, contact [redacted] 155<sup>th</sup> BCT OSJA. [redacted] will serve as your legal advisor for this investigation and will provide you with an initial briefing.

Encl

[redacted], USA  
Commanding

## 155 BCT Command Journal

**Back** **Print**

Unit: 155 BCT	Event DTG: 05/19/20050047	Entry DTG: 190301DMAY05	Update DTG: 190401DMAY05
Subject: 2-11 ACR ESCALATION OF FORCE 1 LN INJURED/UPDATE			

19 0303D-Update: At 190330 2/11 ACR recovered the vehicle and dropped it off at the Tc  
The patrol with the recovery assets are now enroute back to FOB Kalsu. EOM

19 0301D-At 190047DMAY05, 2/11 ACR Reports that tower 5 heard a explosion 340 deg  
3km's away, 3/A/2-11 ACR was at CP 84 and moved north to CP 81 came upon a blue and red dump truck I

The truck is parked on the side of the road, they believed that someone was hiding inside. The patrol initially  
shot then fired a shot at the engine block. No one came out of the truck so they engaged the truck. The patrol  
truck and found an individual lying in the back of the vehicle shot repeatedly in the legs. The patrol contacted  
with a nine line medevac stating the person was in urgent condition. IP'S on site and want to take the vehicle  
but it has two flat tires. 2/11 ACR recovery has been given the mission to recover the vehicle for the IP's. The  
MEDEVACED to 86 CSH.MTF.

Op / AO: AO Biloxi	Vicinity: FOB KALSU	Grid Coords: 38SMB473307	Contact: No
Category: Routine	Attack Category: None	Attack Type: None	Vehicle: N/A
Routine			

## Casualties

Enemy		Civilian		Friendly					IZ SecFor	
KIA	WIA	KIA	WIA	KIA	WIA	DWRIA	NBD	NBI	KIA	WIA
0	0	0	1	0		0	0	0	0	0

Hyperlink:

File Attachment:

**Back** **Print**



DEPARTMENT OF THE ARMY  
155<sup>TH</sup> BRIGADE COMBAT TEAM  
FOB KALSU, IRAQ  
APO AE 09325

155-BCT-CDR

22 May 2005

MEMORANDUM FOR [REDACTED], HHC, 1-198 AR, FOB Kalsu, Iraq

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3. If, during your investigation, you suspect that persons you intend to interview may have violated any provision of the Uniform Code of Military Justice (UCMJ) or any other criminal law, you must advise them of their rights under Article 31, UCMJ. Rights warnings and waivers will be documented on DA Form 3881. If during an interview you begin to suspect criminal conduct on the part of the witness, you must stop the interview and advise the individual of his or her rights under Article 31, UCMJ.
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5. Before proceeding with the investigation, contact [REDACTED], 155<sup>th</sup> BCT OSJA. [REDACTED] will serve as your legal advisor for this investigation and will provide you with an initial briefing.

Encl

USA  
Commanding



155<sup>TH</sup> BRIGADE COMBAT TEAM  
STAFF JUDGE ADVOCATE  
FOB KALSU, IRAQ  
APO AE 09325-HQ

155-BCT-SJA

05 June 2005

MEMORANDUM FOR *Commander*, 155<sup>th</sup> BCT

SUBJECT: Legal Review of 15-6 Investigating Officer Report on the Death of an Iraqi Civilian 19 May 2005

1. Reference Report of Proceedings and accompanying documents, dated 05 June 2005.
2. Purpose. Under AR 15-6 sec 2-3b, a legal review of an investigative report is appropriate to determine whether, among other things, sufficient evidence supports the findings and whether the recommendations are consistent with the findings.
3. Conclusion. The investigating officer has complied with the duties assigned in the appointment order, and made findings and recommendations consistent with the sworn statements. The report is legally sufficient.

JA  
Staff Judge Advocate

**REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS**

For use of this form, see AR 15-6; the proponent agency is OTJAG.

*IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS*

**SECTION I - APPOINTMENT**

Appointed by I \_\_\_\_\_  
(Appointing authority)

on 26 May 2005 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

**SECTION II - SESSIONS**

The (investigation) (board) commenced at FOB KALSU (Place) at 0900 (Time)

on 4 June 2005 (Date) (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

I, AR, MSARNG- Investigating Officer

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)  
Not Applicable

The (investigating officer) (board) finished gathering/hearing evidence at 1630 (Time) on 5 June 2005 (Date)  
and completed findings and recommendations at 1100 (Time) on 5 June 2005 (Date)

**SECTION III - CHECKLIST FOR PROCEEDINGS**

**A. COMPLETE IN ALL CASES**

		YES	NO <sup>1/</sup>	NA <sup>2/</sup>
1	Inclosures (para 3-15, AR 15-6) Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
	b. Copy of notice to respondent, if any? (See item 9, below)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	c. Other correspondence with respondent or counsel, if any?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	d. All other written communications to or from the appointing authority?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
	e. Privacy Act Statements (Certificate, if statement provided orally)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	g. Information as to sessions of a formal board not included on page 1 of this report?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

FOOTNOTES: 1/ Explain all negative answers on an attached sheet.

2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

		YES	NO <sup>1/</sup>	NA <sup>2/</sup>
2	Exhibits (para 3-16, AR 15-6)			
	a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
9	Notice to respondents (para 5-5, AR 15-6):			
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	b. Was the date of delivery at least five working days prior to the first session of the board?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	c. Does each letter of notification indicate —	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	(1) the date, hour, and place of the first session of the board concerning that respondent?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	(2) the matter to be investigated, including specific allegations against the respondent, if any?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	(3) the respondent's rights with regard to counsel?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	(4) the name and address of each witness expected to be called by the recorder?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	(5) the respondent's rights to be present, present evidence, and call witnesses?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	d. Was the respondent provided a copy of all unclassified documents in the case file?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
	a. Was he properly notified (para 5-5, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11	Counsel (para 5-6, AR 15-6):			
	a. Was each respondent represented by counsel?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Name and business address of counsel:			
	(If counsel is a lawyer, check here <input type="radio"/> )			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
	a. Was the challenge properly denied and by the appropriate officer?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	b. Did each member successfully challenged cease to participate in the proceedings?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	b. Examine and object to the introduction of real and documentary evidence, including written statements?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	d. Call witnesses and otherwise introduce evidence?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	e. Testify as a witness?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>FOOTNOTES:</b> 1) Explain all negative answers on an attached sheet. 2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.				



SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:

At approximately 0145, 19 May 2005, 3/A/2-11ACR encountered a dump truck parked on the side of the road along route Christy, vicinity grid MB 473307. The patrol, led by [redacted], stopped 200 meters behind the vehicle, and attempted to persuade any occupant to dismount and make their presence known by the following means:

1. Spotlights shined at the vehicle
2. Warning shots to the right rear of the vehicle
3. Shots fired into the right rear of the vehicle.
4. Shouts in Arabic directing any occupant to dismount.

The patrol then split and bypassed the vehicle and repeated the same steps from the front of the vehicle. No response was given by the occupant. At that time, [redacted] gave the command to fire into the grill of the vehicle. The occupant of the vehicle, a local national male aged 22 years old by the name of Ali Salem Gaber, screamed out in pain. He was shot in both legs. First aid was rendered and a medevac was called. The Mr. Gaber later died of his wounds.

After reading the initial statements collected at the time of the incident, I had the following concerns:

1. Were the Rules of Engagement followed?
2. Were the Rules of Engagement clear?
3. Had adequate warning been given to the occupant of the vehicle?
4. What made the vehicle suspicious?
5. Did the troops involved in the incident have the equipment necessary to carry out the mission?
6. Was adequate, timely medical attention given to the local national?

Answers to the above questions follow:

1. The Rules of Engagement were followed.
2. Yes, they only concern I have was at the time, a portion of them were verbal. But now they are written.
3. Yes, very clear.
4. Yes, the vehicle was in a place where there had been numerous VBIED and / or IEDs. It was also past curfew.
5. No, they did not have a bullhorn at the time and the stand off distance of two hundred meters is a considerable distance to expect an occupant of a vehicle to hear a verbal warning. Since then, Bull horns have been issued to the troops.
6. Yes, adequate timely medical attention was given to the local national.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

I find no wrongdoing on the part of the platoon or their command involved in this incident. I recommend no punitive actions against any member of the parties involved.

**SECTION VI - AUTHENTICATION** (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

\_\_\_\_\_  
(Recorder)

1  
/ (Investigating Officer) (President) MSARNG

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

**SECTION VII - MINORITY REPORT** (para 3-13, AR 15-6)

To the extent indicated in Inclosure \_\_\_\_\_, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

**SECTION VIII - ACTION BY APPOINTING AUTHORITY** (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) ~~board~~ are (approved) ~~(disapproved)~~ (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

155 BCT Command Journal

[Back](#) [Print](#)

Unit: 155 BCT	Event DTG: 05/19/20050047	Entry DTG: 190301DMAY05	Update DTG: 190401DMAY05
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Op / AO: AO Biloxi	Vicinity: FOB KALSU	Grid Coords: 38SMB473307	Contact: No
Category: Routine	Attack Category: None	Attack Type: None	Vehicle: N/A

Routine

Casualties

Enemy		Civilian		Friendly		IZ SecFor				
KIA	WIA	KIA	WIA	KIA	WIA	DWRIA	NBD	NBI	KIA	WIA
0	0	0	1	0	0	0	0	0	0	0

Hyperlink:

File Attachment:

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## Exhibits

1. Spot Report
2. Sworn statement,
3. TTP Post Incident
4. Sworn Statement,
5. Sworn Statement,
6. Sworn Statement,
7. Sworn Statement,
8. Sworn Statement ,
9. translation of documents found on local national

## SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FOB KALSU, IRAQ, APO-AE 09325	2. DATE (YYYYMMDD) 2005/05/28 29	3. TIME 1400	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
ACE TROOP, TF 2/11 ACR, 155 BCT, NC 24 FOB KALSU, IRAQ, APO-AE 09325

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Prior to the shooting incident of 19 May 2005 involving 3rd Platoon of Ace Troop, TF 2/11 ACR, I had multiple conversations with \_\_\_\_\_ (TF 2/11 ACR) and \_\_\_\_\_ (Intelligence Officer, TF 2/11 ACR) about the increase of VBIEDs in the AO (area of operations). These conversations culminated after the deaths of CPTs Harting and Franks on 29 April 2005 in Diyara when they encountered a VBIED on Route Cleveland. My thoughts at that time were something like this: (1) The S-2 is telling us that AIF are starting to use VBIEDs much more often than traditional IEDs given their increased effectiveness, (2) The Commander telling us that soldiers must protect themselves within the full limit of the ROE given the AIF knowledge of our existing TTPs, (3) My assessment that AIF were using "honey-pot" or "salt-lick" techniques to condition soldiers into ignoring disabled and abandoned vehicles along routes within the AO by parking / placing vehicles (and, we later discovered, trash) in "innocent" situations day after day, thereby reducing the level of danger that soldiers feel when in those situations (increasing the likelihood that complacency will set in, making for "softer" targets while on patrol).

Subsequent to the deaths of CPTs Harting and Franks, I sat down with \_\_\_\_\_ to discuss the new TTP that needed to be adopted by soldiers to protect themselves against both the VBIED itself, and also reduce the AIF capability to place those "honey-pots" in the AO. As our conversations progressed, we identified that AIF had been watching CF in the AO, and had identified a weakness that they were exploiting. Namely, that soldiers were getting much too close to disabled / abandoned vehicles while on patrol, thereby giving the AIF a clear opportunity to employ both stationary and suicide VBIEDs. This TTP would deal mostly with our reaction to a stationary vehicle that was identified as a possible VBIED, but also included steps to prevent their placement, and to ensure that through our IO (information operations) we informed the public that parking / abandoning vehicles along roads would not be tolerated.

The TTP, as briefed to my Platoon Leaders, Platoon Sergeants, XO, ISG, was as follows: (1) No vehicles were to be parked / abandoned along roads in the AO, (2) Leaders will inform Sheiks, Police Officers, and any people that they encounter that parked / abandoned vehicles will be destroyed if they are not moved / recovered in a timely manner [ie. If a vehicle is broken down they have 10 minutes to fix, tow, or push off the road; if a vehicle is abandoned without an owner / operator there to speak for the vehicle, we will attempt to notify the owner and then conduct escalation of force based on the assumption that it is a VBIED], (3) That soldiers were not to approach parked / abandoned vehicles given the VBIED threat in the AO unless the vehicle operator is searched and they (the Iraqi operator) open all doors / trunk / hood of vehicle, (4) That soldiers are to err on the side of personal safety at all times, IAW the "right to self protection" of the ROE.

Following my brief to the Troop leadership, we spoke through several scenarios that dealt with possible VBIEDs, to include the blast that killed CPTs Harting and Franks. Everyone acknowledged their understanding of the TTP, and there was no further discussion at that time.

On the morning of 19 May 2005, I was informed by \_\_\_\_\_ that a shooting had occurred on route Christie during the night, and that 3rd Platoon (in the person of SFC Estrada) was involved. The initial report that I received was that an abandoned vehicle had been found while on patrol, and that \_\_\_\_\_ had investigated the vehicle as best they could using white-light handheld spotlights. Unable to identify an operator, and realizing that a vehicle parked in that area was unusual, they had conducted escalation of force on a possible VBIED. Upon speaking with \_\_\_\_\_ I learned that warning shots fired to the side of the vehicle (an attempt to get any sleeping person up from the vehicle) had not been successful. These were followed by additional warning shots fired from the front of the vehicle, again without results, and finally with shots fired into the grill of the vehicle. Upon ceasing fire into the vehicle the crew identified that a person was inside from shouts that were coming from that location. They immediately rendered first aid, but were unable to save the Iraqi man.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

Subsequent to this incident, we (the Troop leadership) have spoken of this TTP multiple times, and worked with the TF 2/11 ACR S-2 and S-3 to see if any improvement could be made. Approximately four (4) days later, the TF S-4 provided all units with loudspeakers (hand-held "bullhorns") and the TF S-3 provided a written TTP of VBIED procedures.

The only steps covered in the new TTP are as follows: (1) Shooting the glass of the vehicle to expose anyone who may be hiding, and to give them a further opportunity to reveal themselves, (2) Using the loudspeakers that were issued after this incident to call on the person to show themselves, (3) Throwing a "flash-bang" grenade under the vehicle to signal to the vehicle occupant. Otherwise, the published TTP matches the steps executed by 3rd platoon.

Of note, when considering the actions of these soldiers, is the current addition to the BOLO (be on the look-out) list of 28 May 2005. There are nineteen (19) new vehicles listed as either VBIEDs or "possibly used as VBIED." Remembering that this is IN ADDITION to the normal BOLO list, it is no wonder that soldiers expect every vehicle parked along the road to be a threat.

-----NOTHING FOLLOWS-----

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_  
ACE TROOP, TF 2/11 ACR, 155 BCT  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
ACE TROOP, TF 2/11 ACR, 155 BCT  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

Provided By

2 June 2005

### VBIED TTPs

If a car on the side of the road is suspected of being a VBIED:

- 1) Stop Coalition Force vehicles outside of or move away 200m from danger area.
- 2) Secure the area (200m out, 360 degrees). Ensure no friendlies/civilians enter danger area.
- 3) Scan the vehicle with Binoculars, Thermals, NVGs, or Spot lights from multiple vantage points.
- 4) Ensure no secondary stand off trigger man present in car and roof tops near by.
- 5) Yell (with bull horn if present) at the driver while continuing to use Spot Lights to get his attention.
- 6) If vehicle driver can not be seen, use a Flash Bang to get the driver's attention.
- 7) If Flash Bang does not get the driver's attention, place a warning shot near the vehicle.
- 8) If warning shot is ineffective, shoot out vehicle's windshield with small arms fire.
- 9) If shooting vehicle windshield does not get the driver's attention, shoot vehicle in likely IED hiding spots to initiate IED.

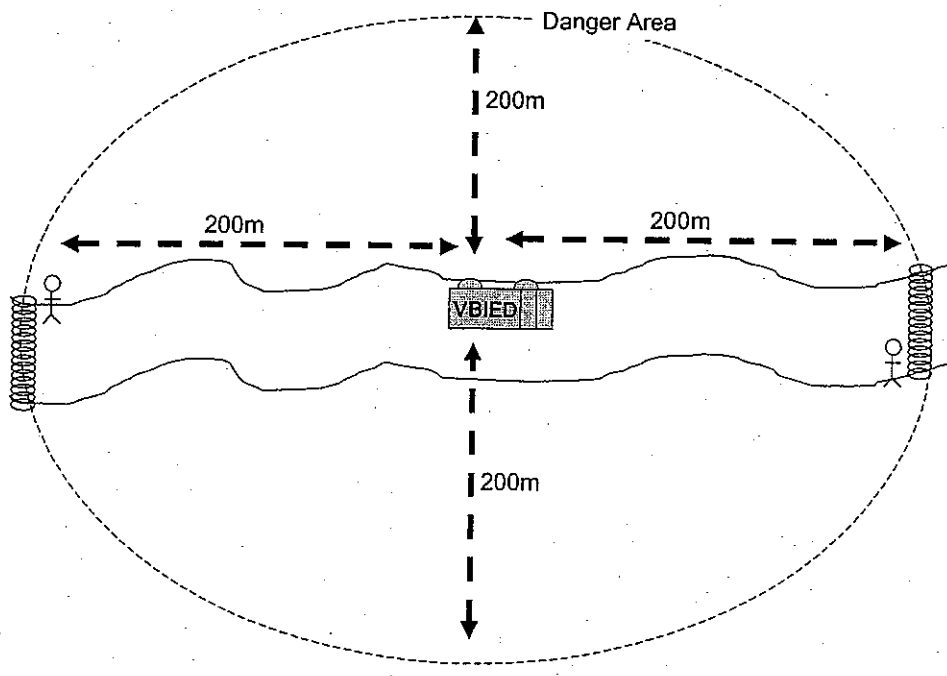


EXhibit #4

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB Kalsu, Iraq
2. DATE (YYYYMMDD): 18 May, 2005
3. TIME: 0500
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS: 3rd Plt Atrp TF2/11 ACR 155 BCT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At about 0145, during our patrol of Christy, we identified a red truck parked alongside the road. My TC instructed me to park at a standoff distance of about 200 meters behind the truck. My TC instructed my gunner, to shine the spot light on the the truck to check for occupants in or around the vehicle. We found none. He then instructed to fire rounds behind the vehicle. Still nothing. Then he told to fire to the side of the vehicle, and we saw nothing. Then he told to fire at the back right tire, and still, no one came out, screamed, yelled, nothing, or gave any indication that there was an occupant to the vehicle. So we swung around to the front of the vehicle to a good standoff distance of 200 meters. Still, nobody was seen in or around the vehicle. After that my TC instructed to fire an aimed warning shot at the left side of the truck. Still nothing. Then my TC told my gunner to fire into the engine block. He fired about 10 rds into the engine. After he stopped firing we heard someone scream out. After he stopped approached the truck. Iragi male, with early to mid 20's, with badly injured legs. He was then medevaced and treated him, and I assisted with CPR. He was then medevaced and the vehicle was searched and towed, no contraband found.

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT:
PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.



Answer the following questions on the accompanying DA form 2823

1. Why was the vehicle suspicious was it on the BOLO list?
2. What was the procedure for engaging a possible VBIED at the time of the incident?
3. In what form was the procedure for engaging a possible VBIED given?
4. Who issued the procedure to you?
5. Was a verbal command given for anyone in the vehicle to vacate the vehicle? If not, did anyone?
6. If so, write the command in English.
7. If a verbal command was given, how far away was the person who gave the command from the truck when the command was given?
8. Was a loudspeaker utilized to give the command?
9. What was the reason to fire into the engine block if tires on both the rear and front of the vehicle were disabled?
10. How long did it take from the time you heard the occupant of the vehicle make his presence known to the time first aid was rendered?

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.D. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Feb Kalsu Iraq
2. DATE (YYYYMMDD): 2005 Jun 02
3. TIME: 1630
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: 3rd Pl Atrp TF2/11 ACR 155BCT

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
1.) The vehicle was suspicious because it was 0145, way after curfew and we had been warned of UBFEDs in the area.
2.) The procedure was shine with spotlight, warning shots and disabling shots to tires/engine block, and then deadly force
3.) ATTP from the commander, then procedure told us about the
4.) My platoon sergeant
5.) No, we didnt put we fired warning shots and shined the spotlight at it
9.) It was part of the procedure, the escalation of force.
10.) Approximately 5 mins
Nothing follows

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF" TAKEN AT Feb Kalsu DATED 23 Jun 05

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF [Signature] TAKEN AT Foh Kalse DATED 2 June 2005

9. STATEMENT (Continued)

~~[Large area crossed out with a large X]~~

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

TAKEN AT

Fob Kalsu

DATED

25 June 2005

9. STATEMENT (Continued)

*[The main body of the page is crossed out with a large handwritten 'X'.]*

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE \_\_\_\_ I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

\_\_\_\_\_  
 (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of June, 2005 at Fob Kalsu, Iraq

\_\_\_\_\_  
 ORGANIZATION OR ADDRESS

\_\_\_\_\_  
 (Signature of Person Administering Oath)

A TRP TF 2/11 155 BCT  
 ORGANIZATION OR ADDRESS

\_\_\_\_\_  
 (Typed Name of Person Administering Oath)

\_\_\_\_\_  
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION AO ACE MB 473307	2. DATE (YYYYMMDD) 2005/05/18	3. TIME 0145	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS A TRP TF 2/11			

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 18 MAY 05 AT ABOUT 0145 HRS I IDENTIFIED A BLUE AND RED CARGO TRUCK ALONG ASR CHRISTY ON THE SIDE OF THE ROAD VIC. GRID MB 473307. I MAINTAINED A 200 METER STAND OFF DISTANCE FOR POSSIBLE VBIED AND USED THE SPOTLIGHT TO ID ANYONE IN OR AROUND THE TRUCK, NO ONE CAME OUT, I INSTRUCTED MY GUNNER TO FIRE AIMED SHOTS OFF TO THE RIGHT SIDE OF THE TRUCK WITH THE CAL. 50, NO RESPONSE. I INSTRUCTED THE GUNNER TO FIRE AIMED SHOTS AT THE RIGHT REAR TIRE, AGAIN NO RESPONSE. I THEN BYPASSED THE VEHICLE GAINED A 200 METER STANDOFF, USED THE SPOTLIGHT TO ID ANYONE IN OR AROUND THE VEHICLE, AND NO ONE CAME OUT. I INSTRUCTED THE GUNNER TO FIRE AIMED SHOTS OFF TO THE LEFT SIDE OF THE TRUCK, NO RESPONSE NO ONE CAME OUT OF THE TRUCK OR YELLED OUT INDICATING SOMEONE WAS IN THE TRUCK. I THEN INSTRUCTED THE GUNNER TO FIRE INTO THE ENGINE BLOCK OF THE TRUCK, HE FIRED APPROX. 10 ROUNDS INTO THE ENGINE. AFTER HE CEASED FIRE I HEARD SOMEONE FROM THE VEHICLE SCREAM OUT. I APPROCHED THE TRUCK AND INSTRUCTED \_\_\_\_\_ TO INSPECT THE CAB OF THE TRUCK. HE IDENTIFIED AN IRAQI MALE OF MILITARY AGE SHOT IN THE LEGS, SITTING ON THE FLOOR OF THE TRUCK. I THEN INSTRUCTED THE MEDIC AND \_\_\_\_\_ TO REMOVE THE SUSPECT FROM THE TRUCK TO RENDER FIRST AID, WHERE THE SUSPECT SUSTAINED INJURIES TO BOTH LEGS. \_\_\_\_\_ IMMEDIATELY RENDERED FIRST AID AND STARTED CPR WITH THE ASSISTANTS OF \_\_\_\_\_ AND \_\_\_\_\_. I CALLED UP THE 9-LINE MEDIVAC AND HAD THE IRAQI POLICE ASSIST WITH SECURITY AND SEARCH OF THE VEHICLE. NO EXPLOSIVES OR CONTRABAND WERE FOUND IN THE TRUCK. THE SUSPECT WAS AIR EVACUATED, AND THE TRUCK WAS TOWED BACK TO THE IRAQI POLICE STATION. SUSPECTS ID, SOME DOCUMENTATION, AND PICTURES ARE ATTACHED TO THE REPORT.

*NOTHING  
FOLLOWS*

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <i>J</i>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT 0145 DATED 18 MAY 05  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Unit	Patrol Leader	Patrol	Date
A Trp, TF 2/11		ACE BLUE 4	18 MAY 05
Mission (and any special instructions)		Patrol Start	
CONDUCT TCP/PATROL		171400MAY05	
		Patrol Return DTG	
		172200MAY05	
Route used into zone	Notes on route, updates to map		
MSR Tampa, ASR CHRISTY, ASR SPADE			
Route used returning to camp			
MSR Tampa, ASR CHRISTY, ASR SPADE			
Activity along route, changes observed in zone, information reported from locals			
<p>CONDUCT TCP AT TCP 81, 84, 12, and 92. PATROLED POO SITES AE4210, AE4225, AND AE4230. CONDUCTED PATROL OF BERMUDA TRIANGLE</p>			
Action of Mission, Objective, Actions of Patrol, map		Remarks	
<p>SET TCP AT CP 81, 12, and 92 FOR SHORT DURATIONS AND CONDUCTED SECURITY PRESENCE PATROLS. PATROLED POO SITES AE4210, AE4225, AND AE4230. AT ABOUT 0145 HRS I IDENTIFIED A BLUE AND RED CARGO TRUCK ALONG ASR CHRISTY ON THE SIDE OF THE ROAD VIC. GRID MB 473307. I MAINTAINED A 200 METER STAND OFF AND USED THE SPOTLIGHT TO ID ANYONE IN OR AROUND THE TRUCK, NO ONE CAME OUT, I INSTRUCTED MY GUNNER TO FIRE AIMED SHOTS OFF TO THE RIGHT SIDE OF THE TRUCK WITH THE CAL. 50, NO RESPONSE. I INSTRUCTED THE GUNNER TO FIRE AIMED SHOTS AT THE RIGHT REAR TIRE, AGAIN NO RESPONSE. I THEN BYPASSED THE VEHICLE GAINED A 200 METER STANDOFF, USED THE SPOTLIGHT TO ID ANYONE IN OR AROUND THE VEHICLE, AND NO ONE CAME OUT. I INSTRUCTED</p>			
Comments, Recommendations, Lessons Learned		Remarks	Remarks
NONE			

THE GUNNER TO FIRE AIMED SHOTS OFF TO THE LEFT SIDE OF THE TRUCK, NO RESPONSE NO ONE CAME OUT OF THE TRUCK OR YELLED OUT INDICATING SOMEONE WAS IN THE TRUCK. I THEN INSTRUCTED THE GUNNER TO FIRE INTO THE ENGINE BLOCK OF THE TRUCK, HE FIRED APPROX. 10 ROUNDS INTO THE ENGINE. AFTER HE CEASED FIRE I HEARD SOMEONE FROM THE VEHICLE SCREAM OUT. I APPROCHED THE TRUCK AND INSTRUCTED [REDACTED] TO INSPECT THE CAB OF THE TRUCK. HE IDENTIFIED A IRAQI MALE OF MILITARY AGE SHOT IN THE LEGS, SITTING ON THE FLOOR OF THE TRUCK. I THEN INSTRUCTED THE MEDIC AND [REDACTED] TO REMOVE THE SUSPECT FROM THE TRUCK TO RENDER FIRST AID, WERE THE SUSPECT SUSTAIN INJURIES TO BOTH LEGS. [REDACTED] IMMEDIATELY RENDERED FIRST AID AND STARTED CPR WITH THE ASSISTANTS OF [REDACTED] AND [REDACTED] I CALLED UP THE 9-LINE MEDIVAC AND HAD THE IRAQI POLICE ASSIST WITH SECURITY AND SEARCH OF THE VEHICLE. NO EXPLOSIVES OR CONTRABAND WERE FOUND IN THE TRUCK. THE SUSPECT WAS AIR EVACUATED, AND THE TRUCK WAS TOWED BACK TO THE IRAQI POLICE STATION. SUSPECTS ID, SOME DOCUMENTATION, AND PICTURES ARE ATTACHED TO THE REPORT.

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION <b>FOB KALSU</b>	2. DATE (YYYYMMDD) <b>2005 05 28</b>	3. TIME <b>1400</b>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME		6. SSN	7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS <b>A TRP TF 2/11</b>			

I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. VEHICLE WAS PARKED AF ON THE SIDE OF THE ROAD AFTER CURFEW HOURS APPROX 0130 HRS. WE HAD REPORTS OF VBIEDS WERE IN OUR AO.
2. PROCEDURE FOR ENGAGING POSS VBIEDS OR PARKED CARS ALONG MSR/ASR. USE SPOTLIGHT, ~~ENGAGE~~ FIRE AIMED WARNING SHOTS TO GET ATTENTION OF DRIVER. IF NO ONE CLAIMS VEH. OR VEH IS LEFT ABANDON ENGAGE VEH.
3. ~~COMPANY COMMANDER~~ <sup>BOC</sup> DAILY MEETING
4. COMPANY COMMANDER TRP.
5. NO, OUR STANDOFF WAS ABOUT 200M.
8. NO.
9. TIRES WERE NOT DISABLED MY ORDER WAS TO FIRE LOWER RIGHT OF ENGINE BLOCK.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <b>23</b> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT **1400** DATED **28 MAY 05**

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.



STATEMENT OF \_\_\_\_\_ TAKEN AT 1400 DATED 28 MAY 05

9. STATEMENT (Continued)

10. EOD WOULD NOT HAVE RESPONDED UNLESS I HAD SOME EVIDENCE OF VBIED SUCH AS WIRES, ~~ROA~~ ROUNDS OR IT WAS A KNOWN VBIED.

11. ABOUT 2:30 ~~SECS~~ <sup>MINS</sup> TO OR 4 MINS.

*Nothing Follows*

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 23 PAGES

STATEMENT OF

TAKEN AT

1400

DATED

28 MAY 05

9. STATEMENT (Continued)

Nothing Follows

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of May 2005 at FOB Kalsu Iraq

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

A Top IF 2/11 ISS BCT  
ORGANIZATION OR ADDRESS

A Top IF 2/11 155 BCT  
ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

Please answer the following questions on the accompanying DA form 2823.

1. What made the vehicle suspicious was it on the BOLO list?
2. What was the procedure for engaging a possible VBIED at the time of the incident?
3. In what form was the procedure for engaging a possible VBIED given?
4. Who issued the procedure to you?
5. Did you give a verbal command for anyone in the vehicle to vacate the vehicle? If not, did anyone?
6. If so, write the command in English.
7. If a verbal command was given, how far away was the person who gave the command from the truck when the command was given?
8. Did you have or was a loud speaker utilized to give the command?
9. What was the reason to fire into the engine block if tires on both the rear and front of the vehicle were disabled?
10. If it was thought that the vehicle was a possible VBIED, why wasn't EOD called?
11. How long did it take from the time you heard the occupant of the vehicle make his presence known to the time first aid was rendered?

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FOB Kalsu, Iraq	2. DATE (YYYYMMDD) 2005/05/19	3. TIME 1930	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
A Troop TF 2/11 ACR

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On May 19 2005, 0130 hours elements of 3rd platoon and myself were headica west on Route Christy on patrol. We had come across an orange cargo truck and stopped 200 meters east of the truck. Proceeded to fire warning shots 10 meters from the truck. I had thought the truck could of been a VBIED. After the shots were fired, there was no response from the truck. I next proceeded to fire shots to the rear bed of the truck. Still no response from the truck. I stopped firing. Third platoon and myself continued cautiously to the front of the truck 200 meters away. I again fired warning shots 10 meters away from the truck. Again no response from the truck. I then proceeded to disable the truck by firing into the right side of the engine block. After the rounds were fired we had heard noisings from the truck. We next approached the cab of the truck to see an Iraqi had been on the floor of the cab. Immediately we tried to open the doors but they were jammed. After 5 minutes we had opened the doors. I and myself pulled my patient out and layed him on the ground. We next applied tourniquets to both legs above the injury site. Next we put the patient on a litter and carried him to the front of the headlights so I could have light on the patient. Then I proceeded to try to administer an IV to the patients left arm. Both arms veins were collapsed and I had tried next was administer a FAST ORS to the patient. It was successful and I began fluids right away. soon after that the patient had stopped breathing but still had a weak pulse. I had instructed \_\_\_\_\_ to assist in CPR. During the course of giving CPR, I was giving updates of the patients status to \_\_\_\_\_ until the Medicac Helicopter arrived.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB Kalsu, Iraq
2. DATE (YYYYMMDD): 2005/05/28
3. TIME: 1400
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: A Trp TF 2/11 ACR

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- 1) I am not sure if it was on the list. It was suspicious because it was 0130 hours in the morning and past curfew.
2) Verbal warning, Aimed warning shots, disable the vehicle, shoot the operator.
3) I have been given classes, ROE handouts, verbal briefings before every time we leave the FOB.
4)
5) I am not sure, I was in the second vehicle.
6) Not sure.
7) Not sure
8) Not sure
9) To total disable the vehicle
10) Yes
11) Negative.
12) Because improper removal of the LN from the

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF" TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

TAKEN AT

F05 Kalsa

DATED

2005/05/19

9. STATEMENT (Continued)

vehicle would of caused further injury to the  
LN. The left ~~femoral~~ Femor was broken, so the possability  
to cut the Femoral Artery.

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

STATEMENT OF

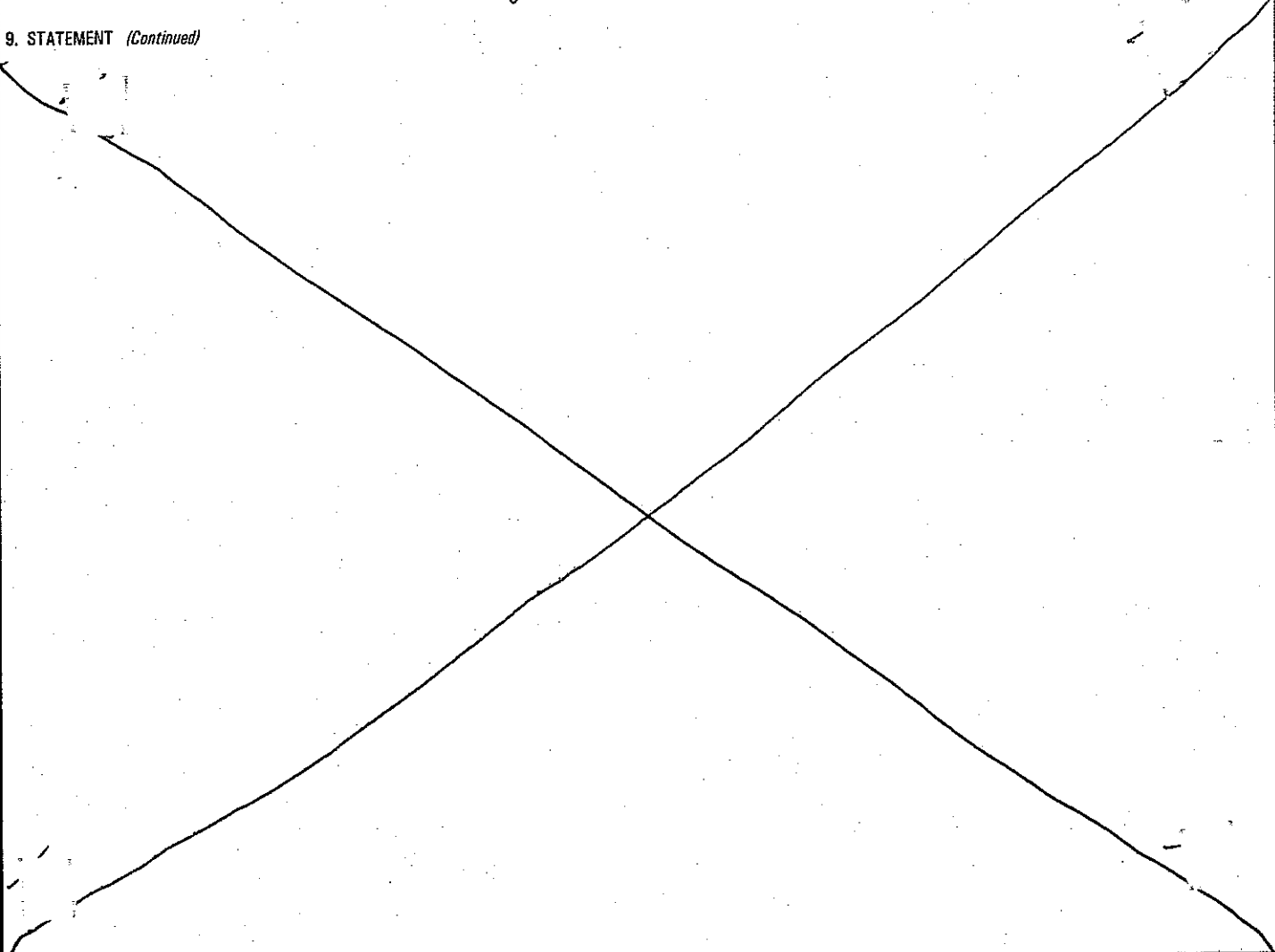
TAKEN AT

FOB Kalsu

DATED

2005/05/28

9. STATEMENT (Continued)



AFFIDAVIT

\_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of May, 2005 at FOB Kalsu Iraq

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
(Authority To Administer Oaths)

A TRP 4E 2/11 155 BCF  
ORGANIZATION OR ADDRESS

A TRP 4E 2/11 155 BCF  
ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

Answer the following questions on the accompanying DA form 2823

1. Why was the vehicle suspicious was it on the BOLO list?
2. What was the procedure for engaging a possible VBIED at the time of the incident?
3. In what form was the procedure for engaging a possible VBIED given?
4. Who issued the procedure to you?
5. Was a verbal command given for anyone in the vehicle to vacate the vehicle? If not, did anyone?
6. If so, write the command in English.
7. If a verbal command was given, how far away was the person who gave the command from the truck when the command was given?
8. Was a loudspeaker utilized to give the command?
9. What was the reason to fire into the engine block if tires on both the rear and front of the vehicle were disabled?
10. Are you a medic?
11. You stated that it took five minutes to remove the LN from the truck, in your opinion, did this time period contribute to the demise of the patient.
12. Why did the patrol not simply break out the glass to remove the patient?



SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION MB473307 RT Christy
2. DATE (YYYYMMDD) 20050518
3. TIME 1600 AM
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS A Trip TF 2/11 155 BCT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Our patrol came across a vehicle parked on the side of RT Christy, so we followed our possible UBCID steps. We checked it with the spotlight, fired aimed warning shots, and then fired at the rear of the vehicle. No one ever came out or anything to signal us. We approached the front of the vehicle inspected it with the spotlight then we fired warning shots, then after no response whatsoever, we fired into the engine block. Following that we heard someone moaning and we found an Iraqi male shot in the legs, we immediately had and perform first aid. and we called a medic. We did everything we could for the casualty.

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION MB473307 RT Christy	2. DATE (YYYYMMDD) 20050528	3. TIME 221 PM	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS A trip TF 2M 155 BCT			

9. \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- 1.) The vehicle was parked on the side of the road after curfew at about one A.M. No one was around to claim the vehicle. It was not on the BOLD list.
- 2.) We looked at and around the vehicle for any personnel. We then shined the spotlight for a better look. We yelled to see if anyone would come out. We fired aimed warning shots. We waited and no one came out. Then we fired at the rear right tire and no one came out. Then we went to the front of the vehicle and performed the same steps. Finally, we fired into the engine block. ~~also~~ Our ROE is to destroy uninhabited vehicles on the side of the road.
- 3.) Verbally given to us by our PSgt in a platoon meeting.
- 4.)
- 5.) Yes
- 6.) Hello? Anybody in there?
- 7.) 10-15 feet.
- 8.) No
- 9.) Our ROE says to not only disable the vehicle, but to destroy it.
- 10.) Approximately 3-5min.

Nothing follows

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT J T	PAGE 1 OF <u>4</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

TAKEN AT

2005 05 28

2227 DATED

9. STATEMENT (Continued)

Nothing Follows

INITIALS OF PERSON MAKING STATEMENT

PAGE

2 OF 4

PAGES

STATEMENT OF

TAKEN AT

COOS0528 2228

DATED

9. STATEMENT (Continued)

Nothing Follows

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of May, 2005 at \_\_\_\_\_

A TROOP TF 2/11 ACR  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Signature of Person Administering Oath)

ACRP TF 2/11 155 BCT  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE R OF 4 PAGES

Answer the following questions on the accompanying DA form 2823

1. Why was the vehicle suspicious was it on the BOLO list?
2. What was the procedure for engaging a possible VBIED at the time of the incident?
3. In what form was the procedure for engaging a possible VBIED given?
4. Who issued the procedure to you?
5. Was a verbal command given for anyone in the vehicle to vacate the vehicle? If not, did anyone?
6. If so, write the command in English.
7. If a verbal command was given, how far away was the person who gave the command from the truck when the command was given?
8. Was a loudspeaker utilized to give the command?
9. What was the reason to fire into the engine block if tires on both the rear and front of the vehicle were disabled?
10. How long did it take from the time you heard the occupant of the vehicle make his presence known to the time first aid was rendered?

4 of 4 - -

Exhibit #8

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

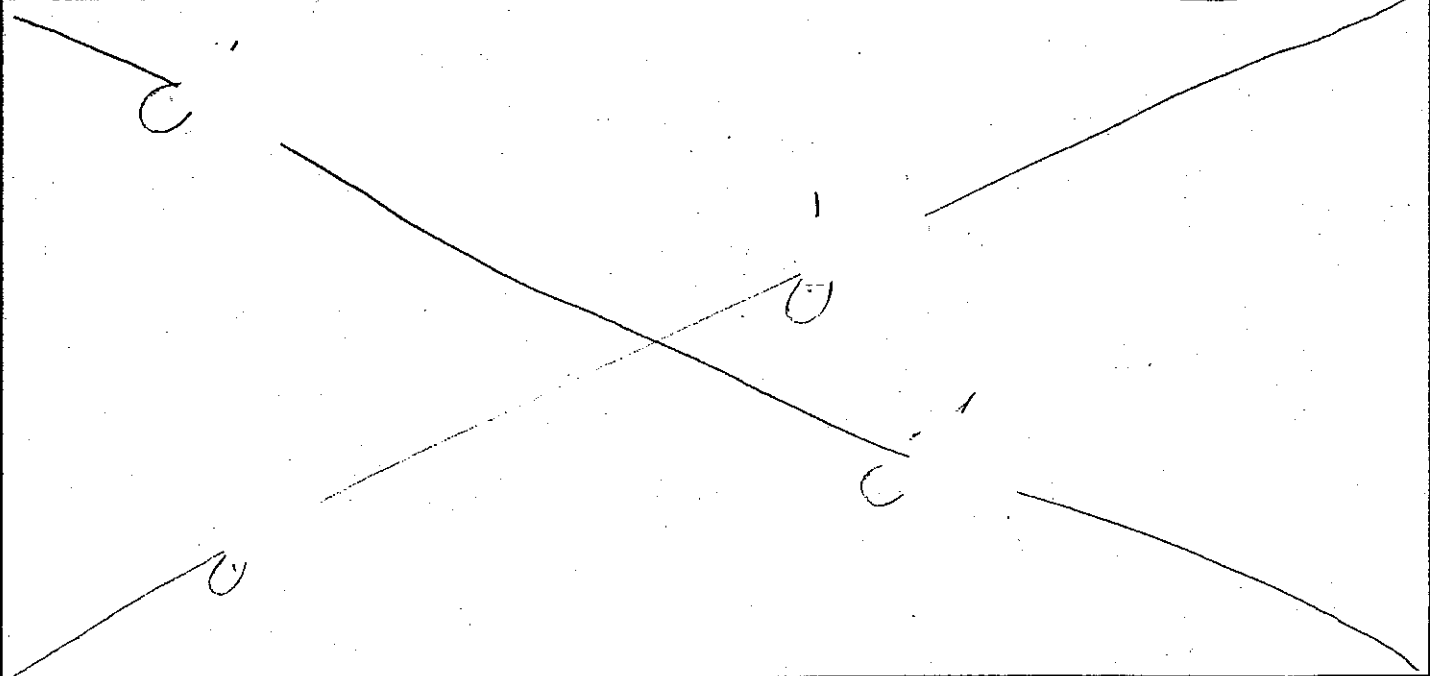
**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FOB KALSU, IRAQ	2. DATE (YYYYMMDD) 2005/05/19	3. TIME 1930	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME		6. SSN	7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS A TROOP TF 2/11 ACR			

9. \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 18 MAY 2005, DURING OUR SECURITY PRESENCE PATROL, ON OR ABOUT 0140 HRS., OUR LEAD VEHICLE IDENTIFIED A CARGO TRUCK ALONG ASR CHRISTY. THE VEHICLE WAS ON THE WEST SIDE OF THE ROAD, VICINITY MB 473307. THE TRUCK APPEARED TO BE A VBIED. AT THAT TIME THE LEAD VEHICLE ( X-6 ) SHOT A BURST OF WARINING ROUNDS ONTO THE SIDE OF THE ROAD. NO ONE CAME OUT OF THE VEHICLE. AFTER A FEW MINUTES, THEN THE SAME VEHICLE FIRED AN ADDITIONAL BURST INTO THE REAR PORTION OF THE VEHICLE. AGAIN, NO ONE CAME OUT. WE BYPASSED THE VEHICILE, TOWARDS THE FRONT OF THE VEHICLE. THE SAME VEHICLE THEN FLASHED HIS SPOTLIGHT TO SEE IF ANYONE WAS AROUND THE VEHICLE. THEN THE LEAD VEHICLE ( X-6 ) FIRED A BURST TO THE FRONT LEFT SIDE OF THE TRUCK; AGAIN NO ONE CAME OUT. AFTER A FEW MINUTES, THE LEAD VEHICLE THEN SHOT A BURST OF ROUNDS INTO THE ENGINE COMPARTMENT. AFTER THE SHOOTING STOPPED, I HEARD A MOANING SOUND, SO WE APPROACHED THE TRUCK. I PROCEDED TO LOOK INTO THE CAB. IT WAS THEN THAT I TOLD THAT THEIR WAS A WOUNDED IRAQI MALE IN THE TRUCK. AT THIS TIME I AND MYSELF OPENED THE DOORS TO THE CAB, AND REMOVED THE MALE FROM THE CAB. ONCE THE MALE WAS ON THE GROUND, I AND MYSELF BOTH GAVE THE CASUALTY A TOURNIQUET ON BOTH HIS LEGS. ONCE THE TOURNIQUETS WERE APPLIED, WE PUT THE CASUALTY ONTO THE STRETCHER. WE THEN MOVED THE INDIVIDUAL INTO A SAFE AREA. THERE, I CONTINUED TO RENDER FIRST-AID WITH I AND MYSELF. ASSISTING HIM WITH WHATEVER HE NEEDED, UNTIL THE MEDI-VAC ARRIVED. NOTHING FOLLOWS.



10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FDB KALSU, IRAQ
2. DATE (YYYYMMDD): 2005/05/28
3. TIME: 1415
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: A TROOP TF 3/11 ACB

I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
1. THE VEHICLE WAS PARKED ON THE SIDE OF THE ROAD AFTER CURFEW HRS.
2. WE SHOT SOME WARWING ROUNDS TO THE SIDE OF THE VEHICLE.
3. VERBALLY DURING A PLT. MEETING.
4. THE COMMANDER ISSUED THE PROCEDURE
5. NO
6. N/A
7. N/A
8. NO
9. WE BELIEVED THAT THE TRUCK WAS A VBIED.
10. ~~NO~~ CALLED BATTLE X RAY
11. ~~ASOON~~ IMMEDIATELY AFTER WE IDENTIFY THAT THERE WAS A CASULTY IN THE VEHICLE
NOTHING FOLLOWS

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF

TAKEN AT

~~28 MAY 1915~~  
FOB KALSU

DATED

28 MAY 2005

9. STATEMENT (Continued)

*[The main body of the page is crossed out with a large handwritten 'X'. There are some faint handwritten marks in the corners, including a '2' in the top left and a '0' in the top right.]*

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES



STATEMENT OF

TAKEN AT FOB KALSU DATED 28 MAY 05

9. STATEMENT (Continued)

*[Large area crossed out with a large 'X' and handwritten initials 'U' and 'C' in the corners.]*

AFFIDAVIT

\_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE \_\_\_\_\_. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[Signature]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of May, 2005 at FOB Kalsu

A Top FE 2/11/155 DCT  
ORGANIZATION OR ADDRESS

[Signature]  
(Signature of Person Administering Oath)

A Top FE 2/11/155 DCT  
ORGANIZATION OR ADDRESS

[Signature]  
(Typed Name of Person Administering Oath)

[Signature]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

Please answer the following questions on the accompanying DA form 2823.

1. What made the vehicle suspicious was it on the BOLO list?
2. What was the procedure for engaging a possible VBIED at the time of the incident?
3. In what form was the procedure for engaging a possible VBIED given?
4. Who issued the procedure to you?
5. Did you give a verbal command for anyone in the vehicle to vacate the vehicle? If not, did anyone?
6. If so, write the command in English.
7. If a verbal command was given, how far away was the person who gave the command from the truck when the command was given?
8. Did you have or utilize a loudspeaker to give the command?
9. What was the reason to fire into the engine block if tires on both the rear and front of the vehicle were disabled?
10. If it was thought that the vehicle was a possible VBIED, why wasn't EOD called
11. How long did it take from the time you heard the occupant of the vehicle make his presence known to the time first aid was rendered?

## COURT decision

Date: 05-16-2005

Full name: Ali Salem Gaber

Address :

Age :

Kind of Violation: According to the 86 Law for the year ... 2

Place: Intersection of Baghdad - Al Gadida .

Plate number : 78588 Baghdad (Pick up)

Any witness : ME (I.P officer)

decision: Fine of 10,000 Iraqi Dinnar (about \$7.00)

I. P officer Sign.

مضمون التوكيل

على سالم جبريل  
اني على سالم جبريل  
قد وكلت حسب حدود الوكيل  
وكالة خاصة لغرض مراجعة مديرية المرور وكافة الدوائر التابعة لها وجميع اندوائر الرسمية وشبه الرسمية وذلك فيما يتعلق بانجاز المعاملة الخاصة بالمركبة المبينة مواصفاتها ادناه وخولته حق قيادتها وبيعها لمن يشاء بالسعر الذي يراه مناسبا والتوقيع على عقد البيع وقبض الثمن صكا اونقدا وحق تقديم كافة الطلبات والمستسكات بتوقيعه نيابة عني وحق توكيل الغير بكل اوجزاء ماوكل به ولاجله وقعت.

توقيع الموكل: *سالم جبريل*  
اسم الموكل الكامل: *سالم جبريل*  
عنوان السكن الدائم:  
رقم الهوية:  
تاريخها:  
جهة الاصدار:

حقل تدقيق حاسبة المرور

جهة التدقيق	العدد	رقم المركبة	نوع المركبة	اللون	رقم المحرك	اسم المالك	اسم الحائز	العنوان
كاتب العدل	التاريخ	٧٨٥١٨	١٠٢٧٨٧	١٩٨١	٢٤٥٢١	<i>سالم جبريل</i>		
	رقم السنوية							
	سنة الصنع							
	عدد الركاب							
	الاصولة							
	رقم القاعد							

اصادق على صحة توقيع الموكل المعروف لدي والمصفة صورته اعلاه وقد تليت عليه مندراجاتها فايدها واعترف بمنطوقها ووقعها امامي في / / ٢٠٠٠

مضافة الكاتب العدل

مضمون التوكيل

اني عنك باسم محمد حسن قد وكلت محمد حسن وكالة خاصة لغرض مراجعة مديرية المرور وكافة الدوائر التابعة لها وجميع الدوائر الرسمية وشبه الرسمية وذلك فيما يتعلق بانجاز المعاملة الخاصة بالمركبة الميينة مواصفاتها اذناه وخولته حق قيادتها وبيعها لمن يشاء بالسعر الذي يراه مناسباً والتوقيع على عقد البيع وقبض الثمن صكا اونقدا وحق تقديم كافة الطلبات والمستمسكات بتوقيعه نيابة عني وحق توكيل الغير بكل اوبجزء ماوكل به ولاجله وقعت.

توقيع الموكل: محمد حسن  
 اسم الموكل الكامل: محمد حسن  
 عنوان السكن الدائم: محمد حسن  
 رقم الهوية:                       
 تاريخها:                       
 جهة الاصدار:                     

جهة التدقيق		العدد	
رقم المركبة		التاريخ	
نوع المركبة		رقم السنوية	
اللون		سنة الصنع	
رقم المحرك		عدد الركاب	
اسم المالك		الحصول	
اسم الحائز		رقم الشاطئ (القاعدة)	
العنوان		رقم التسجيل	
ختم مركز الحاسبة		ختم وتوقيع مدقق حاسبة المسروقة	
ختم وتوقيع مدقق حاسبة التسجيل		ختم وتوقيع مدقق حاسبة التسجيل	

ختم تدقيق حاسبة المرور

مصادقة الكاتب العدل

اصادق على صحة توقيع الموكل المعروف لدي والملصقة صورته اعلاه وقد تليت عليه مندرجاتها فايدها واعترف بمنطوقها ووقعها امامي في / / ٢٠٠٠

الكاتب العدل

Power of attorney (for vehicle)

from : Ali Salem Gaber Sayd To: Hassan Aqid Wady  
Sliman

The number of the vehicle : 78588

Pick up 1023787

Vehicle Make : Mercedes Pick up

No : 342536/10/98

Years of : 1980

Number of Eng : 105537 114/25014

the owner name : Ali Salem Gaber Sayd

رقم 200295

رقم

نموذج قرار حكم

وفق قانون المرور رقم ( )

التاريخ 15 / 05 / 2005

عليه - طالب المسير - علي سالم جبر

1. الاسم الكامل للمخالف :

2. عنوان ومحل الإقامة :

3. عمره :

مختالصة بيلاد 1976

4. نوع المخالفة والنص القانوني :

5. محل ارتكاب المخالفة ووقت وقوعه: / ضاحية بر دبي بدراجة - ساحل صي بنادر - دبي

6. رقم السجل وتوجهها / 55555 / بنادر علي حمد 5878

7. اجهزة السوق :

8. اجهزة التسجيل: /

9. اشياء المخالفة: /

10. رقم رخصة

11. اعراسه :

11828

12. للاحظة: اقتضى من اجنتكم قاطع مرور ( ) لدفع مبلغ الغرامة المفروضة بحقكم وبعمليه استضاف الغرامة

عند مغربي شهر واحد من التاريخ قرضها

توقيع ضابط المرور



الاسم:

المناصب: