

FOUR

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 CO [redacted] 3d BCT, 1st AD (Appointing authority) ExCo

on 2 November 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 Camp Taji, Iraq (Place) at 1300 (Time)

on 4 November 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.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1400 (Time) on 8 November 2005 (Date) and completed findings and recommendations at 1300 (Time) on 12 November 2005 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO ¹⁾	NA ²⁾
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?			
b. Copy of notice to respondent, if any? (See item 9, below)	X		
c. Other correspondence with respondent or counsel, if any?			X
d. All other written communications to or from the appointing authority?			X
e. Privacy Act Statements (Certificate, if statement provided orally)?			X
f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g. Information as to sessions of a formal board not included on page 1 of this report?			X
h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

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.

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		YES	NO ^{1/}	NA ^{2/}
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?	X		
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?			X
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?			X
	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?			X
	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)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
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)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
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)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
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?			
	b. Was the date of delivery at least five working days prior to the first session of the board?			
	c. Does each letter of notification indicate --			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d. Was the respondent provided a copy of all unclassified documents in the case file?			
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
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)?			
	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)?			
11	Counsel (para 5-6, AR 15-6):			
	a. Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(if counsel is a lawyer, check here <input type="checkbox"/>)			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	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)?			
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?			
	b. Did each member successfully challenged cease to participate in the proceedings?			
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?			
	b. Examine and object to the introduction of real and documentary evidence, including written statements?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
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)?			
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)?			

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.

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

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

SEE ATTACHED MEMORANDUM

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

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

SEE ATTACHED MEMORANDUM



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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)

[Redacted Signature] _____
(Investigating Officer) (President)

(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.)

ExCe

[Redacted Signature]

[Redacted]

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DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTER COMPANY
3RD BRIGADE, 1ST ARMOR DIVISION
CAMP TAJI, IRAQ APO AE 09378

REPLY TO
ATTENTION OF:

AFZN-BB-S2

10 November 2005

MEMORANDUM FOR Commander, 3RD Brigade, 1ST Armor Division, Camp Taji, Iraq,
APO AE 09378

SUBJECT: Investigation of Escalation of Force Incident Occurring in the Taji Market
Area on 2 November 2005

[Large redacted block]

Ex 0

Ex 1

2. Specific Areas

A) Sequence of events

A patrol of M1114s from 1/A/1-320 had turned west onto RTE Raiders from a north-south running road. The intersection was at the far west edge of Taji market. The lead vehicle had made the turn and was heading west when the vehicle in question, a black sedan with a single occupant, was first seen heading east in the middle of the road. The vehicle showed no signs of slowing and witness statements indicate that its speed was 40-50 miles per hour. Upon visual acquisition of the fast approaching vehicle the TC, [Redacted]

[Redacted]

As the vehicle continued its approach, the likelihood that it had not identified the coalition patrol decreased, while the chance that it was suicide VBIED consistently increased.

Ex 0

[Redacted]

Ex 1

When the vehicle braked after the warning shot, it lost traction and skid from the middle of the two lane road to the east bound shoulder. At this point the vehicle had passed the lead vehicle and was oriented toward the second vehicle.

[Redacted] shouted in English along with his limited

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[REDACTED]

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[REDACTED]

Ex6

Ex1

Ex6

[REDACTED]

Ex1

Ex6

[REDACTED]

The time of the incident falls in line with peak suicide VBIED attack hours throughout MND-B, and this specific area of Taji Market was the site of a suicide VBIED attack on 18 September 2005, not two months prior.

Ex6

[REDACTED]

Ex1

in hindsight, it may seem obvious that the LN driver felt that after he slowed reacting to the initial warning shot, he would then be permitted to continue moving. As Iraq has been a a nation living with Coalition patrols on their roads for near three years, nearly the entire population is familiar with how to behave in a vehicle around a coalition forces.

[REDACTED]

Ex1

D.) Lessons Learned

[REDACTED]

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[REDACTED]

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1. De-escalation of force is an important aspect to identifying neutral and enemy elements on the Iraqi battlefield. The issue of dealing with oncoming threat vehicles is especially difficult to handle because of how rapidly a decision must be made as to how and when to escalate force. Once force is escalated, the reactions of the element in question must be instantly reassessed by all coalition forces involved, but the ultimate estimation lies on the leader. If a neutral element reacts appropriately to force escalation and changes its behavior so as to CLEARLY remove hostile intent from the perception of the coalition, than all is well. However, the local national element does not react in a way that completely erases doubt, than it continues to be a threat. At this point, every action taken by

[REDACTED]

Ex 1

Soldiers must be prepared to de-escalate force as quickly as they are trained to escalate. This constant reassessing and reevaluation of the situation lies at the leader level so that soldiers can trust that there is a cause to their actions.

[REDACTED]

Ex 6

Ex 1

E.) Conclusion

It is my finding that there is no fault or violations on the part of the soldiers involved in the incident. The vehicle clearly exhibited signs of a possible VBIED by approaching at location (intersection while the patrol was executing a turn) where the patrol was vulnerable, and by not reacting appropriately to escalation of force procedures.

[REDACTED]

Ex 1

This unit and all units need to ensure that all leaders and soldiers understand how to escalate force and what factors to take into consideration for de-escalating force.

[REDACTED]

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[REDACTED] *Fouo*

4. POC is the undersigned at VOIP 242-6579

[REDACTED]

2LT, MI
Investigating Officer

Investigation into the shooting death of a local national

Table of Contents

ExCo

Appointment order
DA Form 1574

Exhibit A: Serious Incident Report provided by 1-320FA

Exhibit B: Sworn Statements

1. 1LT [REDACTED] (Patrol leader)
2. SSG [REDACTED] (atoon Sergeant)
3. PFC [REDACTED] (vehicle gunner)
4. SPC [REDACTED] (lead vehicle gunner)

Exhibit C: Site sketch

Exhibit D: MNC-I rules of engagement

[REDACTED]

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REPLY TO
ATTENTION OF:

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DEPARTMENT OF THE ARMY
HEADQUARTERS, 3RD BRIGADE, 1ST ARMOR DIVISION
CAMP TAJI, IRAQ
APO AE 09378

AFZN-BB-CO

2 November 2005

MEMORANDUM FOR 1L [REDACTED] HHC, 3d Bde, 1st AD, APO AE 09378

SUBJECT: Appointment as Investigating Officer

ExCo

1. Pursuant to AR 15-6, paragraph 2-1, you are hereby appointed as an investigating officer to investigate the shooting death of a Local National by elements of 1/320 FA in Taji Market on 2 November 2005.
2. In your investigation, use procedures under AR 15-6, Chapter 4, for an informal board of officers. All witness statements will be sworn, and you will follow the procedures in AR 15-6, paragraph 3-7e for Privacy Act statements. If the person you are interviewing states that he/she does not know anything about the allegations, prepare a sworn statement to that affect for the witness to sign. If, in the course of your investigation, you suspect a soldier has committed an offense under the UCMJ, you must advise and read him/her their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate, prior to conducting any interview.
3. In your investigation, you need to answer the following questions:
 - a. What was the sequence of events that led up to the incident?
 - b. Did the soldiers involved properly escalate the use of force?
 - c. Did the patrol have Positive Identification (were they reasonable certain that the local national was a legitimate military target) before engaging?
 - d. Was deadly force authorized?
 - e. Were there any Law of War violations?
 - f. Are there any operational lessons that should be captured and disseminated?
 - g. Were there any other contributing factors that, if changed, could have altered the outcome?
4. If it becomes evident that there is possible misconduct outside the scope of your investigation, notify the appointing authority immediately. If during your investigation

[REDACTED]

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[REDACTED]

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AFZN-BB-CO

SUBJECT: Appointment as Investigating Officer

you become aware of information that needs command attention, immediately notify the appointing authority for guidance.

5. Contact the Command Judge Advocate, [REDACTED] for legal guidance prior to starting your investigation. CPT [REDACTED] located in Bldg 72 and his phone number is VOIP: 242-6045.

6. Submit your findings and recommendations on DA Form 1574 to [REDACTED] legal review no later than 10 November 2005.

[REDACTED]

Exle

COL, AR
Commanding

[REDACTED]

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Appendix 1 (CIR BLUE REPORT) to Annex C to FRAGO 4-3 OPOD 05-007 (RSOI)

COMMANDER'S INCIDENT REPORT:

LINE 1: Unit reporting: A/1-320 FAR

LINE 2: Incident: Warning Shot/Escalation of Force/Death of LN

LINE 3: Date/time group (DTG) incident occurred: 020730NOV05

LINE 4: Location of incident: MC 2910 0800

Name	Rank	Unit	SSN	Sex	Age	Race
[REDACTED]	1LT	A/1-320 FA	[REDACTED]	M	27	[REDACTED]
[REDACTED]	SSG	A/1-320 FA	[REDACTED]	M	26	[REDACTED]
[REDACTED]	PFC	A/1-320 FA	[REDACTED]	M	21	[REDACTED]
[REDACTED]	SPC	A/1-320 FA	[REDACTED]	M	25	[REDACTED]

Ex 10

LINE 6: SUMMARY: A 1/A/1-320 FAR Patrol was moving West on RTE RAIDERS and identified a Black sedan traveling East on RTE RAIDERS toward them. The black sedan did not pull off to the side of the road or stop. The Gunner in the lead vehicle, S [REDACTED] stood up and waved his red STOP paddle at the on coming vehicle. The vehicle continued to travel toward the patrol at a high rate of speed. The gunner identified the driver as the only occupant and reported him as military age and clean-shaven and unresponsive to his commands. The gunner continued to wave his arms and the STOP sign at the vehicle.

[REDACTED]

Ex 1

The lead vehicle TC [REDACTED] and rear TC side passenger [REDACTED] dismounted and approached the oncoming vehicle which had slowed down as it went around. [REDACTED] ran to the on coming vehicle driver and gestured and yelled for the vehicle to stop. The on coming vehicle accelerated back onto the road oriented directly to the second vehicle in the patrol.

Ex 10

[REDACTED]

Ex 1

EOD arrived and inspected the disabled vehicle. EOD reported wires in the driver compartment of the vehicle and informed the patrol not to attempt to remove the driver, who appeared to be deceased at this time. EOD executed a small "boot" charge on the trunk IOT inspect the trunk for explosives. When this charge detonated, it ignited the car's fuel tank and caused it to burn. 4-1 FA then took control of the scene. An AR 15-6 investigating officer has been appointed by the 3/1 AD Commander. The 3/1 AD Commander has also directed that a condolence payment be made to the family at 030930NOV05 by the 4-1 FA Commander, who is responsible for this AO.

LINE 7: Injuries or damage to government and/or civilian property: The on-coming vehicle was destroyed and the driver was killed.

LINE 8: Commander Reporting:

C-1-1

[REDACTED]

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A

[REDACTED] FOUO

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 filling and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD) 2005 ⁰⁸ 11 04	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS OR / 1LT	
8. ORGANIZATION OR ADDRESS			

Ex 1

9. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 2 November, at or around 0700, I led my platoon of 4 M1114 HMW's and 19 soldiers out of Camp Taji to relieve a platoon of A/1-320 who had been on a 48 hour TCP mission. I had just turned west onto route Raiders when I spotted a car speeding east towards my convoy. Almost immediately after, my gunner and driver see the vehicle.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ex 1

Ex 1

the vehicle was within 50 meters and slammed on his brakes. The car swerved to the right (our left) and had slowed to 5-10 mph when I exited my truck. By the time I got behind my truck the car was already past (on the shoulder) and still moving.

[REDACTED] The driver

Ex 1

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

[REDACTED] FOUO
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B1

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

[REDACTED]. By this time [REDACTED] was beside me and I saw that the car was not stopping and ~~was~~^{did} instead moved back onto the road and started to accelerate.

[REDACTED]

Ex 6

[REDACTED] I know [REDACTED] engaged first and the vehicle was on the road again and accelerating. After I gave the command to engage, my soldiers eliminated the threat by first shooting the engine then when the car kept moving targeted the driver. Once the driver was directly engaged the car stopped.

[REDACTED]

The actions taken subsequently by the driver only increased my suspicions. I take full responsibility for my and my soldiers' actions.

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

Ex 1

Ex 1

[Redacted] FOVO

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

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.

[Redacted Signature]

Ex 6

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

[Redacted] FOVO

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION <i>Pod 3D 36B</i>	2. DATE (YYYYMMDD) <i>2005 11 04</i>	3. TIME <i>1412</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <i>E-6/</i>	
8. ORGANIZATION OR ADDRESS <i>A 132046 FA</i>			

Ex 6

_____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

*On Nov 2nd 2005 as our convoy was trading to ward Tubausl
 Their was this car driving in the middle of the road trading about
 45 to 50 mph directly toward our MILLY. By the time [REDACTED]*

[REDACTED]
 [REDACTED]
 [REDACTED]

Ex 1

Ex 6

*my foot got caught up by the base of the door
 I can see [REDACTED] telling the driver
 to stop and get out of the car but he wouldn't Then Lt shouted out engine
 Then he hit two or three ^{round} ~~shots~~ The driver hit the gas to drive toward A34
 at the same time I fire one round and the drive head drop to the
 side but because he had hit the gas the car was still rolling toward
 A34 I told Lt he was dead and I started yelling to A34 Don't shoot
 he dead also I was waving my right but it was to late gun shoot
 was already coming from A34*

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>1</u> PAGES
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 MUST BE INDICATED.

[REDACTED]

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STATEMENT OF _____ TAKEN AT _____ DATED _____

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INITIALS OF PERSON MAKING STATEMENT

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	[REDACTED]		7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS			

9. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

BRB I The Gunner on the second truck felt a jock from my truck I looked up I heard a shot as soon as I heard that this car came fast past the first vehicle I got at the High ready with my m-4 I saw [REDACTED] his vehicle along with [REDACTED] came out of [REDACTED] Both hands put them back on the steering wheel and started to accelerate straight towards my vehicle (A34) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ex 6

Ex 1

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
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[Redacted] FOVO

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STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

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[Redacted] Fovo

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

[Redacted statement text]

Ex 1

Ex 6

AFFIDAVIT

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[Redacted signature] (Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			
A 1/320TH FAR			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
THAT WHILE GUNNER OF THE FIRST HUMMVEE IN A CONVOY, SEEN A CAR TRAVELING ABOUT 40 TO 45 MPH IN THE MIDDLE OF THE ROAD. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] THE SHOT LANDED ABOUT THREE FEET FROM THE CAR, HE SWERVED TO ~~THE~~ HIS RIGHT AS THE DRIVER FROM THE HUMMVEE SWERVED TO OUR RIGHT. I SEEN [REDACTED] AND SAID [REDACTED] DISMOUNT THE HUMMVEE, SO I JUMPED BACK TO MY MZ AND MADE SURE THERE WASNT A SECOND VEHICLE.

Ex 6
Ex 1

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

[Redacted]

Fouo

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

[Redacted]

Fouo

FOUO

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

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)

file

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

FOUO



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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

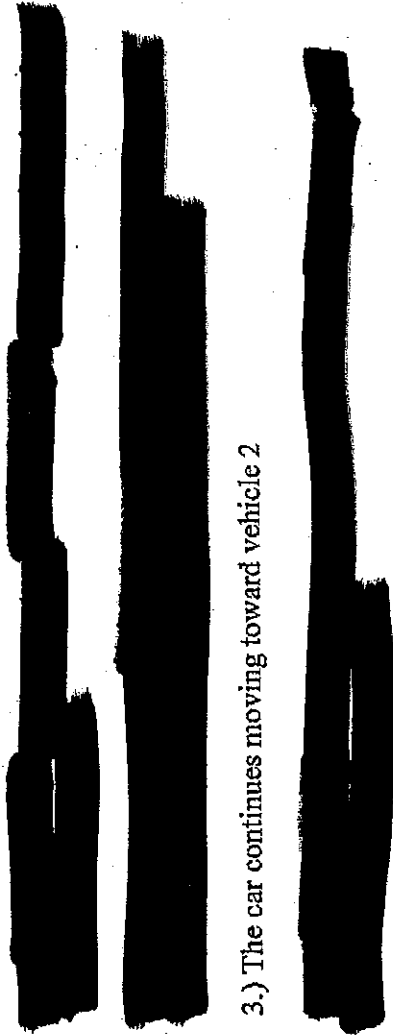
PAGE OF PAGES



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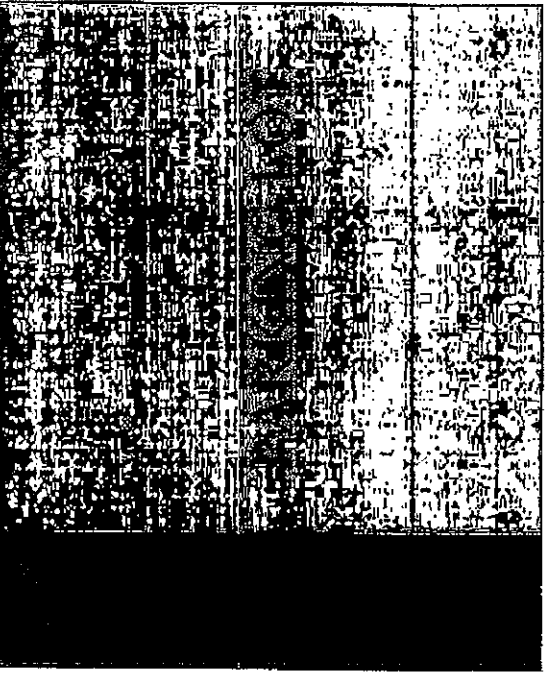
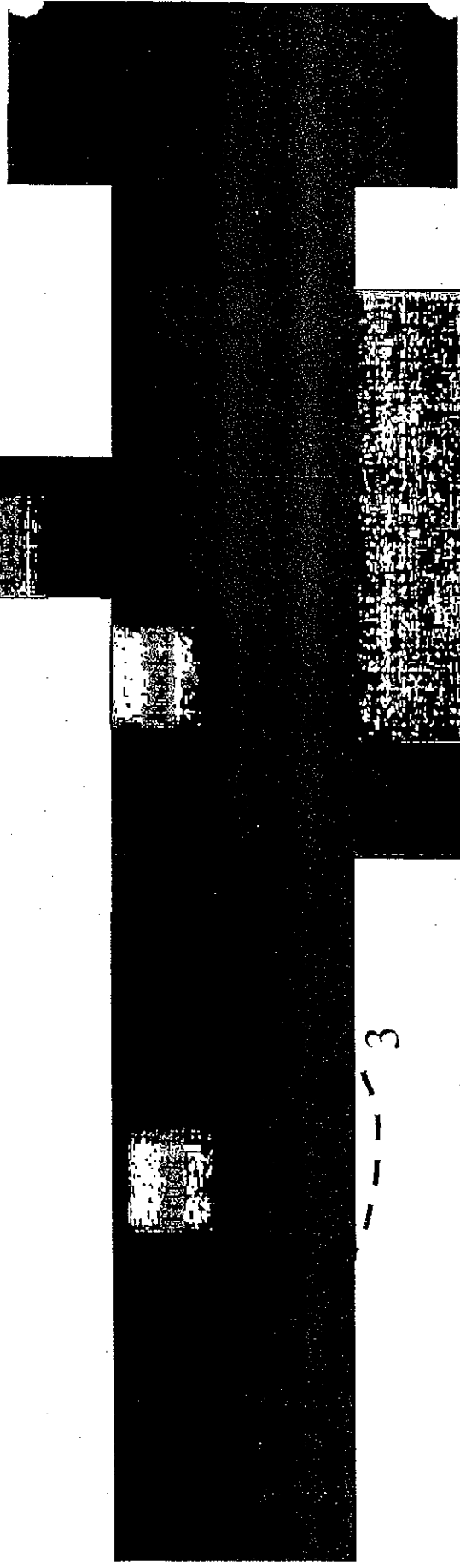
Fou

1000



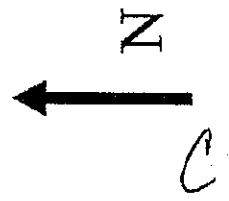
3.) The car continues moving toward vehicle 2

1
44
440



1000

--- 3



Fuo

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EX 2

D

[REDACTED]

Fuo

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