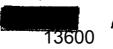
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		SECTION II - SE	ssions		·		
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policies (members,	respondents, counsel	l) were absent: (Include brief expl	anation of each absence.) (See paras 5-2 and 5-8a, AR	<i>15-6.</i> j		-
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OMPLETE IN ALL CASE	<u> </u>	SECTION III - CHECKLIST FOR	PROCEEDINGS				<u> </u>
losures (para 3-15, AR 15-6)					YES	NOI	N/
re the following inclosed and nu	mbered consecutively	y with Roman numerals: (Attached	•••				† ```
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Other correspondence with res	pondent or counsel, i	f anv?	· · · · · · · · · · · · · · · · · · ·				X
All other written communication	os to or from the app	pointing authority?			_]		LX
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Any other significant papers for	ther than pridence?	uded on page 1 of this report? relating to administrative aspects o			 		<u> </u>
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DEPARTMENT OF THE ARMY HEADQUARTERS, 3RD BRIGADE, 1ST ARMORED DIVISION CAMP TAJI, IRAQ APO AE 09378

AFZN-BB-CO

10 January 2006

ExG

MEMORANDUM FOR CPT HARBOR HHB, 4th Battalion, 1st Field Artillery Regiment, 3d Brigade, 1st Armored Division, APO AE 09378

SUBJECT: Appointment as Investigating Officer

- 1. Pursuant to AR 15-6, paragraph 2-1, you are hereby appointed as an investigating officer to investigate the escalation of force incident involving members of SVC/4-1 FA and B/4-42 FA that resulted in the death of one local national on 10 January 2006.
- 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. If it becomes evident that there is possible misconduct outside the scope of your investigation notify the appointing authority immediately. If during your investigation you become aware of information that needs command attention, immediately notify the appointing authority for guidance.
- 4. Contact the Command Judge Advocate, CPT process, for legal guidance prior to starting your investigation. CPT is located in Bldg 72 and his phone number is VOIP: 242-6045.
- 5. Submit your findings and recommendations on DA Form 1574 to CPT legal review no later than 17 January 2006.





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COMMANDER'S INCIDENT REPORT:

LINE 1: Unit reporting: 3/1AD (SVC/4 -1FA with B/4-42FA on LSR)

LINE 2: Incident: EOF resulting in death of LN

LINE 3: Date/time group (DTG) incident occurred: 100043JAN06

LINE 4: Location of incident: MSR TAMPA,

LINE 5: Personnel involved

Ex 1

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Name	Rank	Unit	SSN	Position	Sex	Age	Race
	2LT	SVC/4-1 FA		Patrol Leader	M	23	
	SGT	SVC/4-1 FA			М	24	
	SPC	SVC/4-1 FA			М	20	
	SPC	SVC/4-1 FA			M	24	
	SGT	SVC/4-1 FA			М	23	ساس
	SGT	SVC/4-1 FA			М	33	
	SPC	SVC/4-1 FA			M	25	
	SSG	SVC/4-1 FA		NCOIC	М	29	صحت
N .	SGT	SVC/4-1 FA		Soldier	М	29	
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	-	•		fired	i		
	SFC	D/4 40 P4		shots			
	SPC	B/4-42 FA		LSR	М		
	SSG	B/4-42 FA		LSR	М	31	
	PVT	B/4-42 FA		L\$R	М	18	
	SGT	B/4-42 FA	——	LSR	М	23	

LINE 6: SUMMARY: On or about 100043JAN, SVC/4-1 FA and B/4-42 FA were conducting an MSR Tampa security patrol as part of LSR/RSR. This patrol was involved in an escalation of force incident resulting in the death of one male local national. At approximately 0040, the 3 M1114 patrol was traveling north on MSR Tampa. The patrol observed one local national vehicle traveling south on MSR Tampa. Since this was a violation of the Baghdad curfew, the patrol decided to emplace a snap TCP IOT stop traffic and check the vehicle.

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two remained halted. After the first vehicle search was complete, the patrol waved the second vehicle through to the primary search area. The third vehicle attempted to bypass the second vehicle, moving towards the dismounted soldiers that were controlling traffic. These soldiers

The vehicle failed

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The unit began administering first aid and loaded the LN into one of the INTT14s in an attempt to get him to a clinic on Camp Taji to receive proper medical attention. The LN died of wounds before reaching the gate. 4-1 FA then contacted 3/1 AD to arrange IP collection of the body. A search of the vehicle after the incident yielded no contraband. The dead local national had no identification either on his person or in his vehicle. The LN appeared to be approximately 30-35 years old. The IPs took custody of the body from 4-1 FA at 0358. Brigade commander has directed initiation of an Art 15-6 investigation.

LINE 7: Injuries or damage to government and/or civilian property: 1x LN KIA.

LINE 8: Commander reporting: LTC

CDR, TF 4-1FA

COL, AR Commanding



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COMMANDER'S INCIDENT REPORT:

LINE 1: Unit reporting: 3/1AD (SVC/4 -1FA with B/4-42FA on LSR)

LINE 2: Incident: EOF resulting in death of LN

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EX1

LINE 5: Personnel involved

	Name	Rank	Unit	SSN	Position	Sex	٨٨٨		7
		21.	3VC/4-1 PA		Patrol	M	Age	Race	
					Leader	101	 23 ==		
		SGT	SVC/4-1 FA		Leader	M	24		
		SPC	SVC/4-1 FA		 		24	4	
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Ī		PVT	B/4-42 FA		1.65				
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]	. []		

INF 6: SUMMARY: On or about 1000/31AN, SVC/4-1 FA and B/4-42-FA were conducting an MSR Tampa security patrol as part of LSR/RSR. This patrol was involved in an escalation of force incident resulting in the death of one male local national. At approximately 0040, the 3 M1114 patrol was traveling north on MSR Tampa. The patrol observed one local national vehicle traveling south on MSR Tampa. Since this was a violation of the Baghdad curfew, the patrol decided to emplace a snap TGP-IOT stop-traffic and check the vehicle.

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			not were controlling t	allic.	7	Exl
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and the second second	The LN died of wounds before collection of the body. A sear	im to a clinic on Car reaching the gate. ch of the vehicle affe	np Taji to receive prop 4-1 FA then contacte er the incident vielded	per medical attent d 3/1 AD to arran	ion. ge IP	Ex CO
	dead local national had no ide to be approximately 30-35 yea Brigade commander has direc	ntilication either on irs old. The IPs tool	his person or in his ve k custody of the body	hice The IN Sor	NATION -	
	LINE 7: Injuries or damage to	government and/or	civilian property: 1x1	N KIA		·
	LINE 8: Commander reporting	: LTC	CDR, TF 4-1F/	4		
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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, /SSM//	
Final Port of Provide commanders and law enforcement officials with means by which information may be accurately	
Your social security number is used as an additional/alternate means of identification to facilitate filling and retri-	eval.
1. LOCATION	
M9C Tampa 2006 ALD 055	
5. LAST NAME, FIRST NAME MIDDLE NAME 6. SSN 7. GRADE/STATUS	.
8. ORGANIZATION OR ADDRESS 4. 1. E. A.	
9.	
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Laurk an MASK Tampa, 326	
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told the larger truck to move forward. The truck rack	_
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wich was behind the larger truck. The truck meters began to move behind the larger truck. The truck	
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move forward. I was concerned for the saftey of 56T	
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O. EXHIBIT	_
PAGE 1 OF PAGE. ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED	s [·]
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9. STATEMENT (Continued)	DATED TO MA COOK
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of the power line poles whe	re it stopped. The vehicle
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mood affroximately Callon	eters from the search area. E
7(0 / 1)	
1. 56T	IDAVIT
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	(Signature of Person Making Statement)
WITNESSES:	Subscribed and swom to before me, a person authorized by law to
	administer paths, this 10 ^{+L} day of <u>Ja, 2006</u>
ORGANIZATION OR ADDRESS	(Signature of Prison Administering Oath)
ORGANIZATION OR ADDRESS	(Typed Name of Person Administering Oath)
· · · · · · · · · · · · · · · · · · ·	(Authority To Administer Oaths)
INITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF 2 PAGES
PAGE 3, DA FORM 2823, DEC 1998	USAPA V1.00

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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 2. DATE (YYYYMMDD) 4. FILE NUMBER MSR TAMPA 20060110 LAST NAME, FIRST NAME, MIDDLE NAME 7. GRADE/STATUS <u>E-6/R</u>A 8. URGANIZATION OR ADDRES SUC BTRY CAMP TAJI IRAQ APO AE 03178 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: While on MSR TAMPA 97/10 JAN 0500 were searching a vehicle on the MSR. While searching a vehicle on the MSR our vehicle (Ha-8) was the rear vehicle. We were pulling year security as the two other relaids on our patrol were searching a vehicle that was an the misk Trampa, well after curten has As we were pulling security 2 whicles had arrived the vehicles were approximately 25-50 meters away were outside of our vehicles \$ 356 Cwhoron's Consoluting, from our vehicle. Myself & Sqt 1 right sent right) was trying to get out of the Human. I told the first truck to move forward to get searched along w/ Sqt telling the first truck the same thing, We were both waving our flashlights. He moved up & the second vehicle started moving bruned. As he started moving torward, I started yelling for him to stop while signaling for him to halt w/ the halt signs (my thumb touching mid-joint of my rigginge & middle finger). At the same time I was flashing my Surefire Plashlight, Exl humivee was 25-50 meters from the trucks when they were slopped. As the swand drove Away it was wat far away from me ? Sal The rehicle was was going straight toward the front 2 vehicles that were doing all the searching. After it reflect it was roughly 150 theters from our positions. As we pulled up to the truck I was on the passenger side & Sytem driverside. He man was leaned over to his right, Sylven saw that he was hit? yelled for help. He started to pull the man out? 217 helped Syt is I then grabbed their weapons. Everyone was trying to help the man, by performing first aid. Syt weed his for kit. A convey carne by? their madic his tried to essist. He said their wasn't much he can do, he had died. This incident had all Stages of the ROE Steps billowed. Syt is followed all steps. 10. EXHIBIT INITIALS OF PERSON MAKING STATEMENT PAGES PAGE 1 OF

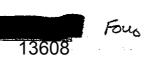
DA FORM 2823, DEC 1998

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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

DA FORM 2823, JUL 72, IS OBSOLETE

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT; AND PAGE NUMBER



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DA FORM 2823, DEC 1998

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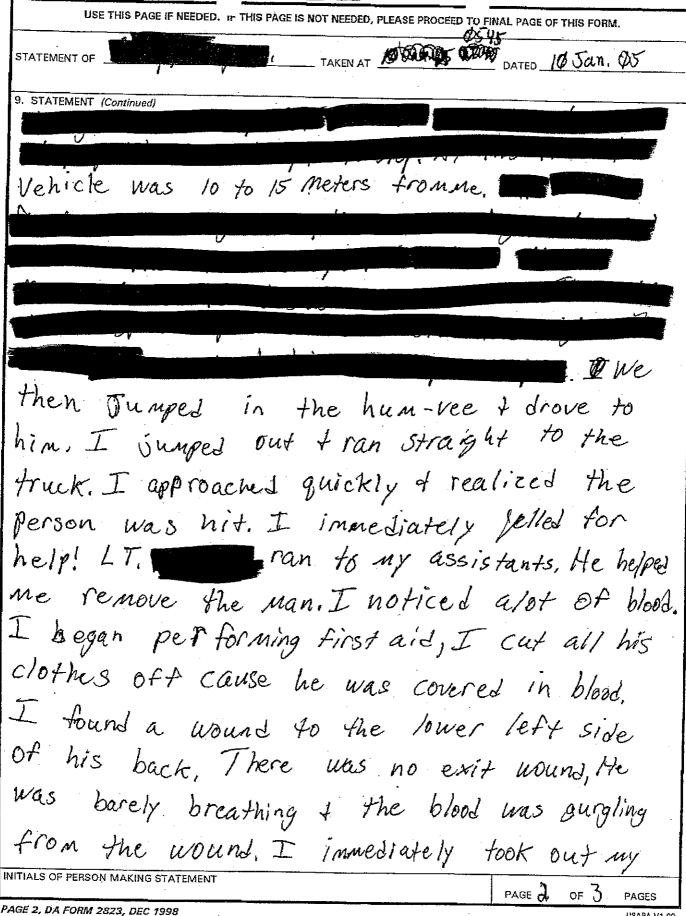
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9. STATEMENT (Continued) battle	dressing tapplies pressure. I then ean, I placed a Sucking chest
wiped the wound che	ean, I placed a Sucking chest
wound handage on	the wound. I yelled for
More help. A possing	convoy Stopped + they had
a medic occent	He arrived and said the man
Was last 10 1 1	Les ten med blood Then
read. He had.	lost too much blood, There
was nuthing else	I could do, but I feel
we reacted 100%	in the right way!
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WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3	. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE
A STATE OF A PENDENT A LINE OF A PENDE I HIS S	TATEMENT EREELY WITHOUT HOPE OF DENEST OF DOWARD WITHOUT
THREAT OF PUNISHMENT, AND WITHOUT COERCION,	UNLAWFUL INFLUENCE OR HAN AWELL INDLICEMENT
	(Dignature of Person Making Statement)
WITNESSES:	Subscribed and swom to before me, a person authorized by law to
<u> </u>	administer oaths, this to the day of Jr
	10,11,100
ORGANIZATION OR ADDRESS	(eignature of respon Auministering Oath)
	Jan Hammistering Golff
	(Typed Name of Person Administering Oath)
ORGANIZATION OR ADDRESS	Considered officer
	(Authority To Administer Oaths)
INITIALS OF PERSON MAKING STATEMENT	PAGE 3 OF 3 PAGES
PAGÉ 3, DA FORM 2823, DEC 1998	PAGE D OF 3 PAGES



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

		PRIVACY	ACT STATEMENT
AUTHORITY:	Title 10 USC Section 301: Tit	Ha 5 HSC Ser	tion 2051, 5.0. C

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 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER MSR TAMPA **ጛ ጿ**ዪሮል୮ ተዪ Øø45 5. LAST NAME FIRS 7. GRADE/STATUS えして

8. ORGANIZATION OR ADDRESS

SVC/4-1 FA

_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

10 JAN &G , at 8845 my SVC combat patrol On Stopped a vehicle that was breaking curren on MSR'TAMPA (near tower ABB). MY truck S=4N and S-6 were the 2 trucks directly conducting the search on the stopped vehicle. HQ-8 was pulling rear security in our blocking position and the TC (556 | (SGT were dismounted scanning the area. As I was overwatching the search of the vehicle being searched, 2 more vehicles approached they rear security (HQ-8). I saw them Stopping the vehicles and then focused my attention back to the search being conducted.

I then moved with my gun truck to the position of HQ-8 to access the situation. I then went to the individual who was shot and Purh him out of the truck, we tried helped SGT to save him by providing First Aidsbut the individual bled to death. I called all happening's up to B-DOC and followed their guidance from there.

NOTHING FOLLOW'S

				•		
10. EXHIBIT	11. INITIALS OF	PERSON MAKING ST	ATEMENT			
<u> </u>				PAGE 1 OF	_2_	PAGES
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.

DA FORM 2823, DEC 1998

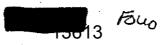
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9. STATEMENT (Continued)			
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For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT	STATEMENT
ELICO Cardian	0054.50.000

AUTHORITY: PRINCIPAL PURPOSE:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

ROUTINE USES:

To provide commanders and law enforcement officials with means by which information may be accurately

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

MSR ROUTE

2. DATE (YYYYMMDD)

3. TIME

4. FILE NUMBER

5. LAST NAME FIRST NAME MIDDLE NAME

6. SSN

7. GRADE/STATUS

E - (a)

8. ORGANIZATION OR ADDRESS

on the 10 of Jan 06 around about 0050 nur OR 6

was stop I was attempting to assist two soldier directing traffic during a blocking by hasty postion.

During this timet

Ex

EXCO

every one got back in. We then drove up to the second vehicle and I final got out and gave some assistant to the CLS guy looking for more body wounds.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

Four

PAGE 1 OF _____ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

TAKEN AT DATED

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

DA FORM 2823, DEC 1998

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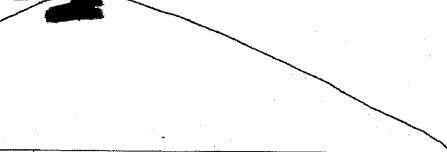


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Pous **SWORN STATEMENT** For use of this form, see AR 190-45; the proponent agency is ODCSOPS PRIVACY ACT STATEMENT AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN). PRINCIPAL PURPOSE: To provide 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 2. DATE (YYYYMMDD) 3, TIME 4. FILE NUMBER MSR Tampa 20060110 0043 LAST NAME, FIRST NAME, MIDDLE NAME 6. SŚN 7. GRADE/STATUS E 5 SVC BTRY 4-1 FA WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On the morning of Jan 10 2006, I was the TC in 5-6 (MILLY), part of the MSR Patrol, A Truck had violated curfeer and we stoped it by blocking it on The MSR. 5-4N was in the front 5-6 was to the side and HQ-8 was Pulling rear security, after checking the truck we sent it away, More Existion traffic was coming toward as and was at a stop about soo merers I was dismonated at my vehicle and didn't have a clear sight of the

Civilian traffic, only heard shots fixed from HQ-8. Head Directly after the shots 5-6 and 5-4N Quickly Grove to HQ-8. Head State of the To monitor the radio, End Statement I stayed at my MILLY.



10. EXHIBIT

11_INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF _____ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT ____

TAKEN AT .___ DATED _

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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. 9
PRINCIPAL PURPOSE:	To provide commanders and law enforcement officials with r

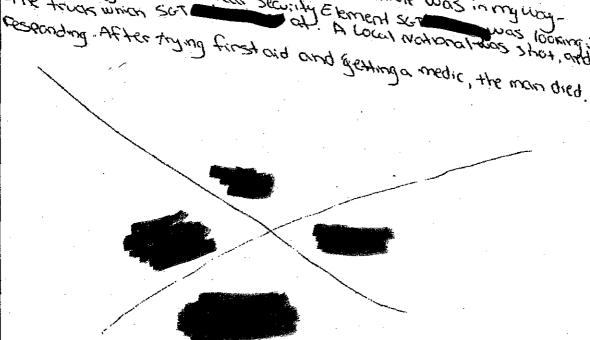
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5. LAST NAME, FIRST NAME, MID	DLE NAME	6. SSN	7. (GRADE/STATUS
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8. ORGANIZATION OR ADDRESS				

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On MER Patrol, the early morning we fulled over a civilan Vernite out after certen. My throver Pulled to the front of the Civilan Here verile, I refued two other vertiles approaching the rear Security element. We were done searching the west which when I heard gunshall Comming from our Rear element. I didn't see what happened because the tirst vehicle was in my way-When we got to the rear security Element sure was looking into the truck which sort and Not A Local National was shot, and Not



10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

PAGE 1 OF **PAGES**

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

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

	AUTHORITY:	
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PRIVACY ACT STATEMENT

PRINCIPAL PURPOSE:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN). To provide commanders and law enforcement officials with means by which information may be accurately

ROUTINE USES:

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1. LOCATION

2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER

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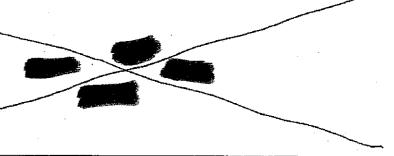
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8. OHGANIZATION OR ADDRESS

9.

., WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 10th of Feb. around 0045 we MSR Patrol. A rehide was on the road ofter carten. Stopped the vehicle and began to search the individual and his vehicle. While searching the vehicle two other vehicles approached. The rear gun truck let us know they had two more vehicles coming our way. Whe I was directly the vehicle around our truck. I heard shots being fired. We came up to the other vehicle. The rear gun trucks driven and To was conducting 1st aid on the Individual. The individual died while help was being given.



10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT.

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AUTHORITY:	

PRINCIPAL PURPOSE:

PRIVACY ACT STATEMENT

ROUTINE USES:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

To provide commanders and law enforcement officials with means by which information may be accurately 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

2. DATE (YYYYMMDD)

3. TIME

4. FILE NUMBER

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2006/11/09 6. SSN

7. GRADE/STATUS

ORGANIZATION OR ADDRESS

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, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

We stopped as local national passed curter on MSR Tampa close to Castle gente. It My postion was middle gun truck taking the local national in the towards the west. He was searched and drove off to the south. Two other vehicles headed south towards us. I continued scanning my sector for snipers and heard 4 shots. We drove towards the 2 vehicles and stopped at the first vehicle. I akept the 240 aimed on him, not knowing it he had any weapons. Soft got him out of the vehicle and started to search him. I glaced at the follow soldiers to see them pull a body from a truck. Then I went back to pulling security on the first Iraqi. Nothing tollows.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

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PRINCIPAL PURPOSE:

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DISCLOSURE: 1. LOCATION

2. DATE (YYYYMMDD) 2006/01/10

3. TIME

4. FILE NUMBER

MSR TAMPA 5. LAST NAME, FIRST NAME MIDDLE NAM

0600

7. GRADE/STATUS Driver

Ex6

8. ORGANIZATION OR ADDRESS

SVC 4-1 FA

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The saber patrols stoped a Truck that was Driving After curfew At About 12130 Am ABout 1 K North of the exit of castle gate I SOT got out of my Truck to search the vichichel Iwas Parked Faceing west with my lights on the vichichle. SUN WAS FACEING North in Front of it AND HOR WAS FACEING South Behindit, ASI fenished searching the two guys In the victicle I heard A shot to the North of me I knew it was mis Fire then I hard two more shots, Lt told metogetin #56 And getmy ASS Downthere. By the Time I gotthere, there was AnIraqiman Bleeding on the Street SGT Wastrying to help Him SOI gave him All the help I could But The MAN Stilled Diod.

10. EXHIBIT

11. INITIALS OF PERSONMAKING STATEMENT

PAGE 1 OF

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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

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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 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER 10 Doed 5 00 40 LAST NAME, FIRST NAME 7. GRADE/STATUS 8. ORGANIZATION OF ADDRESS 13 4.42 FA 4ID _, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: The Victor I was richen in had Stoffer, we dispensed. 2-3 seddiers well sparching A Vivier that was stopped and civilians inside victor. Multiple shots were fired. Ideal net seeit. The personnel that dismounted got back into the victor we made our way to where the shots were Fire from Vivtor flat was fired upon had stopped. We fulled the Driver Frank the victor out: First did Attempts Failed. Driver: s deceased 10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT 13 PAGE 1 OF **PAGES** ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" $_$ _ TAKEN AT THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

DA FORM 2823, DEC 1998

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

AUTHORITY:	Title 3/11

PRIVACY ACT STATEMENT

PRINCIPAL PURPOSE:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

ROUTINE USES

1. LOCATION

To provide commanders and law enforcement officials with means by which information may be accurately Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: 1 Disclosure of your social security number is voluntary.

2. DATE (YYYYMMDD)

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3. TIME 4. FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME

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7. GRADE/STATUS

8. ORGANIZATION OF ADDRESS

SGT/6-5.

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WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: That on the mourning of 10 Jan or around 0040 I was dismounted on tampa (mse) watching/pulling good on an Iraqi while his vehicle was being Search. Recoons for that was because he was out passed curfu Plus his victor had alst of fuel lealing from it at that time the OIC For that Saw two other trucks may be a 100-150 meters away and told one of the gun trucks to go check them act. about a minute later I heard ! gun shot fullowed by another maybe 2-3 seconds aport. We Tmy guntruck) were done Searching the leaking truck so we immediately released him and went to the seane where the Shots were fired. By the time I got there the first of the two trucks was quilling off we stapped that one (my gan truck) got the iragi out + started to search the truck + that's with the OIC yelled at he needed a first aid kit bk the iraqi was nit. Treatment was applied but the iraqi had lost to much blood & was considered to be a lost.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT"

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

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10. EXHIBIT 15 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT ____ DATED ____

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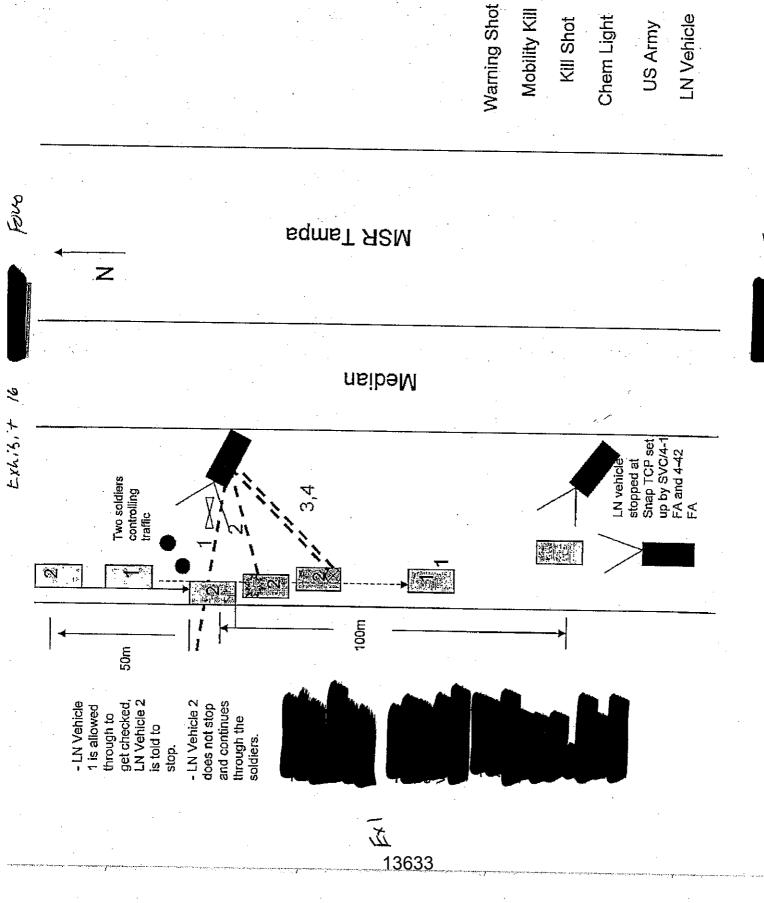




Exhibit 17

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