The following questions are an attachment to your sworn statement, which you filled out on 29 MAY 2005, regarding the incident on 28 MAY 2005. The oath which you swore on your statement applies to this document.

- Please state your understanding of the Rules of Engagement:
 I can defend myself if I feel my life or collection
 forces life is in danger, with lettral force or use lethal
 force to protect agains Hostil intent
- What were the subjects in the Blue Opal Omega doing on the night of the incident? Why did you pull them over, why did you think they were threatening?

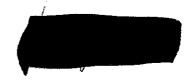
 Breaking curfew, Blc they were beaking curfew, Before the vech stapped he was moving very fast, also he ran frem a parked car ad pulled a pistal.
- During the time between the blue Opal Omega pulling over, and the suspect being Killed, what were his actions that constituted a hostile act?

 The actions were he Ran from a vech at Gunpoint,

 them pulled out a pistal
- What action did the suspect take that constituted a Lethal threat?

 Ren from his vech and pulled a pistol
- What threat did the suspect represent to individuals in the patrol, and to the patrol as a whole? His very could have boom a VBIFD.

 and Itilized a lot of IAB and American soilders also he pulled a pistel and could have shot back at us as soon as he found some cover
- If you could frame one instant or action from the incident that triggered your use of lethal force, what would it be? When he pulled his Pistel out as he Ron away.



			STATEMENT -45; the proponent agency is ODCSOPS	
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE:	Title 10 USC Section 301; Title To provide commanders and law	PRIVACY A 5 USC Sec enforcement sed as an a	ACT STATEMENT ction 2951; E.O. 9397 dated November 22, ent officials with means by which informati additional/alternate means of identification t	on may be accurately
1. LOCATION FOR		2. DA	TE (YYYYMMOD) 3. TIME OS OS 29	4. FILE NUMBER
5. LAST NAME, FIRST	NAME, MIDDLE NAME		6. SSN	7. GRADE/STATUS
8. ORGANIZATION OR	ADDRESS 3-4C			<u> </u>
9. My platan	was conducting a		want to make the following state	1
	.0 man squad of I . At appx 0030		and a 4 man team of Stopped a Buick	IPs from or curter
violation	infront of c	a mos	que south of the	
intersect.	om. We had the	IP9	conduct a search	of the car
While _	CAB were pulling) Seci	arity with US forces area went out making	. About
arian com	vieray mir. I 1	mas i	n the 1 Cs hatch of	an MIAI inth
open prot	ected model (this	limi	ts visibility). Just be	fore 0100 a call
Came over	the radio from o	nothe	r tank that a fast mo	ving vehicle
was approx	hing from the you	H- IV	orth. Dismounted US on	dIAB were abe
			Next thing I heard i	
AK fine	in the area of t	the c	ar. I also saw IAB	soldiers converging
10. EXHIBIT	aren. Then I saw		spo light from one or	
<u> </u>	NIST CONTAIN THE MARKET			PAGE 1 OF PAGES
	H ADDITIONAL PAGE MUST BEAR		TAKEN AT DATED	EMENT, AND PAGE NUMBER

DA FORM 2823, JUL 72, IS OBSOLETE

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL P	AGE OF THIS FORM.
STATEMENT OF TAKEN AT PUBLIC DATE	TED 29 MAY 05
D. STATEMENT (Continued)	
Shine down on alley way. This was followed by in	iore AK fine and
I saw 2-tracer rounds fine. I called	
Contact, Contact, East out. A few minutes	passed and we
Started to get reports from the ground. I hadro	red all info to
occupants. After the vehicle stopped a man into back	nega with 3 k Seat got out and
My to the east. I'M Soldiers said they saw i'm mile	
Distol. As the man ran the IAB shot Mu	14) pre van sing 3 no/3
is also our to class the number. An MILLY shinks a	Spot higher alvent
the alley and some of our ILB's said they sav this pistol in their direction. At which time 2 u	a man stoped pointing
his pisted in their arrections it would be	s non sie a
few rounds along with The IAB striking the man him. The car was searched as the entire area was	cordined off.
him. The car was searched as a male were doubted	In al. car was
The vehicle with the remaining 2 people were detained.	and the Milala or
another pistol, we will the bomb test kit on the KIA an	Idetarnees, One of
the dotained tested possible for INT m his hands, We	- ggt the 3 mems
I an all and let that I me I I P's Showed up.	They dock the body
herange is was in their AO. I had I I p's tak	le the remaining
2 men. After all take had been nadtoed to	We began
our return trip to the FOB. END OF	STATEMENI
INITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF 3 PAGES

PAGE 2, DA FORM 2823, DEC 1998

STATEMENT OF	TAKEN AT FOR DATED 29MAYUS
	TANKEY ALL TOTAL DATE OF THE PARTY OF THE PA
). *STATEMENT (Continued)	
The tillowing QUESTIENS were a	isked by the investigating officer com
reading the statement of 21.T	isked by the investigating officer, com
R-(CAT) Your were insid	de your wehicle, and did not physically see the incl
take place?	
A-Carl Corned	
	a 1 AM 1 1 1
1 10wer was out in the local of	onen or the time of the incident?
A- Yes.	
2-Can you draw a sketch of the	i area of the time of the incident." Cultucked
t- les	
2 - Do you have compting to add	To your state must?
(· No	E. No More of GWI
	_
END OF QUESTIONS	
	AFFIDAVIT
	AFFIDAVIT
I, WHICH BEGINS ON PAGE 1. AND ENDS ON PAGE	, HAVE READ OR HAVE HAD READ TO ME THIS STATEM
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE BY ME. THE STATEMENT IS TRUE. I HAVE INTO	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT.
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BY ME. THE STATEMENT IS TRUE. I HAVE INITI. CONTAINING THE STATEMENT. I HAVE MADE THE THREAT OF PUNISHMENT, AND WITHOUT COERC. WITNESSES: ORGANIZATION OR ADDRESS	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT OF THE ENTIRE STATEMENT IALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PARTIES STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT HOPE OF PERSON Making Statement) Subscribed and sworn to before me, a person authorize administer oaths, this 29 day of MAY at fcb. Signature of Person Administering Oath) Typed Name of Person Administering Oath)
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ATEMENT OF	TAKEN AT	DATED
STATEMENT (Continued)		
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	IAB III	Alleyway Killed
	114-10	MOSQUE

PAGE 2, DA FORM 2823, DEC 1998

	Sor use of this form, no	WORN STATEMENT		
		AR 190-45; the proponent	agency is ODCSOPS	
AUTHORITY:	Title 10 USC Section 301; Title 5	IVACY ACT STATEMENT	NZ d-w-141	
PRINCIPAL PURPOSE:	To provide commanders and law ed	nforcement officials with me	37 dated November 22	!, 1943 /SSNJ.
ROUTINE USES:	Logi social sectation unimper is rise	d as an additional/alternate n	neans of identification	to facilitate filing and revious!
DISCLOSURE:	Disclosure of your social security n	umber is voluntary.		to recommend thing and retileval.
FOB		2. DATE (YYYYMMOD)	3. TIME	4. FILE NUMBER
5. LAST NAME FIRST	NAME, MIDDLE NAME	6. SSN	1356	7. GRADE/STATUS
8. ORGANIZATION OR	ADDRECC			E.5
DC. 3-15				
9.				
1,		, WANT TO MAKE TH	HE FOLLOWING STAT	EMENT UNDER OATH:
A 41.	ght of 28 May	~ O. P.	lat stan	LIMEN ONDER DATH:
On the hi	ghi of to they	Joy was var	TEST SICHARE	Ala maninina
after cuite	w. The time from	ne was area	nd CICC IN	The monthly.
While sour	thing the vehic	he the IAB	ww pun	ng scouring for
Us around) the snup TCF.			
Since we	had just pulled	the which		
of my weh	icle walking to.	ucind the one	e we had 1)	alled ower
when I sai	headlights con	ning up from	behind n	10. I formulation
to see	that it wis	- blue Goal C	men that	had drive
right into	that it was .	nd stopped	. \$15 the	cur axes stopping
the TAB	Soldiers wno	was closer	to the c	lineya than I
· stabl	1 st. fin The	grissunger J'	umped ou	t of the
Car with a	pistel on his	hip, he danger	V right or	er caedinger Ans
mind he for	han went left is	at in abu	nd the tr	2.11 4 /20 6.2.
al 4_	0 11 14.5	1 flds 1255 5 5T	177 - ShCx+51a0	(() 4 (M) ME
the and w	I don't Know w	ine of Sight a	nol the I	AB fired shots
in the air	I don't know w	he acctually	shot the	guy but there
in the odi:	of shots final	, The IAB a	cell dear	y see The year
running dow	of shots fired of the alley from	n thier positi	ion. I do Ki	new that they
fired chits	in the six law		1 /2	
10. EXHIBIT	in the air. Aft	er Several Sho Initials of Person Mak		
(<u>J</u>			P.	AGE 1 OF PAGES
ADDITIONAL PAGES MU	ST CONTAIN THE HEADING "STATE	MENT TAKEN A	T DATED	
THE BOTTOM OF EACH A MUST BE BE INDICATED.	ADDITIONAL PAGE MUST BEAR TH	E INITIALS OF THE PERSON	MAKING THE STATE	MENT, AND PAGE NUMBER

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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 FOR DATED	2005.05.29
Different people, not including myself. I ran	over to the
car assuming that the runner had gotten away	
the other two guys, who was in the car, The -	IAD hadalready
taken them out of the car and searched them	n before I got
there, They had found a pistol on one of the	ose gays. So
I went on and proceeded down the alley whe	re clor or
IAB soldiers had already gone. It was ve	A TAB
I walked maybe about 13/20 merer	3 and the Dio
Soldier stopped me, and pointed to the ground.	+ furned
on my flashlight and saw the runner lying	there dead.
His pistol was drown from his holster lying.	on the ground
beside him. From that point we finished clear	ring the area
As of the street may the convey to	on mexical (3x)
Was then coordinating with china on further gue - The following questions were asked by the investigating office-, corr cealing the Tt	idence. en olsky
at the second! Were the all just shorting in the our, or did they a	ppear to also short
A 1367	
A-15 Journals, 30 seconds mance angagement Take.	
or NVD's?	k without litte
A. it was dark enough that it was to talk clear The 1+	de de la
The posite stowers of	on to see the
Q-I-there anything you wish to add to your statement?	
	2 OF 3 PAGES

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STATEMENT OF	TAKEN AT 108 DATED 3080529	
9. STATEMENT (Cantinued)		
A-No.	•	
END of QUESTIONS		
TO SOUS TIBINS		
	AFFIDAVIT	
WHICH DECIME ON DARK		
CONTAINING THE STATEMENT I HAVE MADE THIS	I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD ED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE	Œ
TRACE OF PUNISHMENT, AND WITHOUT COERCIO	N, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.	
	(Signature or rense.	
WITNESSES:		
mades,	Subscribed and sworn to before me, a person authorized by lav	∿ to
	at Fag	
ORGANIZATION OR ADDRESS	V bignature of Person Administering Oath)	
	(Typed Name of Person Administering Oath)	
ORGANIZATION OR ADDRESS	Langesting Officer (Authority To Administer Gaths)	
	· · · · · · · · · · · · · · · · · · ·	
TIALS OF PERSON MAKING STATEMENT		

	SWORN STATEMENT					
For use of this form,	see AR 190-45; the proponent a	agency is ODCSOPS	5			
ROUTINE USES: To provide commanders and la Your social security number is	PRIVACY ACT STATEMENT 5 USC Section 2951; E.O. 939 w enforcement officials with me used as an additional/alternate m	ans by which inform	22, 1943 (SSN). nation may be accurately on to facilitate filing and retrieval.			
Disclosure of your social securi		1				
5. LAST NAME FIRST NAME MIDDLE MAME	2005 OS 29	3. TIME 1353	4. FILE NUMBER			
S. LAST NAME PIRST NAME MAKE	6. SSN		7. GRADE/STATUS			
8. ORGANIZATION OR ADDRESS			LE-5			
9. D Co 3/15	INF					
1. SGT			ATEMENT UNDER OATH:			
95 We were conducting	un after curte	w Search e A Sm. 4h h	of a motor vehicle			
Another motor vehicle Rame up						
lane. It was monthly at a	taster than regu	lar speed	so I tarneamy			
MIAI gun tube into the	path of the v	ehille to.	Stow I Terown and			
it did but it never sto	pped until, "	le 140 sy	quad and the			
American soldiers pulled the	vehicle over i	with their	- weapons drawn			
Then, Once I saw that y	the vehicle was	Stopped.	I immediately			
out my gun tube back	where we were	conducting	our sector of			
esponsibility (Scanning). And	that's when I	heard the	gunfire and guys			
take off after someone out	of the vehicle r	unning dow	n an alley. At the			
same time I observed two	men get on their	r knees w	ith their hands			
of. And then that's when I	radioed up who	+ I saw	to My Platan			
eader what I observed. And then my crew proceeded to continue						
Canning our sector as there was a crowd of Iragis beginning to form						
of out the alley near my vehicle. I didn't see anyone get shot or lu I know who shot what rounds. End of Statement.						
lu I know who shot what	t rounds. End e	of State	ment.			
			_			
O. EXHIBIT	11. INITIALS OF PERSON MAK	ING STATEMENT	1			
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STATEMENT OF	TAKEN AT	DATED
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	The state of the s	OL MOOGEMEN).
	/ (Sidnatu	re of Ferson Making Statement)
MATNEGOGO		
WITNESSES:	Subscribed and swor	n to before me, a person authorized by law to
	administer oaths, this	day of MAY . 2505
	at to	
ORGANIZATION OF APPRICE		
ORGANIZATION OR ADDRESS	\\\ \text{Signatu.}	re of Person Administering Oath)
	(Typed Na	me of Person Administering Gath)
ORGANIZATION OF ADDESSES	Investigation	officer
ORGANIZATION OR ADDRESS		hority To Administer Oaths)
NITIALS OF PERSON MAKING STATEMENT		
		PAGE 2 OF 2 PAGES
AGE 3, DA FORM 2823, DEC 1998		

	For use of this form		STATEMENT -45; the proponent	egency is ODCSOD		
PRINCIPAL PURPOSE: To ROUTINE USES: Yo	te 10 USC Section 301; Tit provide commanders and l ur social security-number is	PRIVACY At the 5 USC Section of the 5 USC Section of the	CT STATEMENT tion 2951; E.O. 939 int officials with me dditional/alternate m	7 dated November	22, 1943 <i>(SSN)</i> .	
1 LOCATION	solosure of your social secu	2. DA	TE (YYYYMMDD)	3. TIME	4. FILE NUMBER	
5. LAST NAME FIRST NAME	AE MARQUE MANAE	1200	5 0 5 2 ¢ 6. \$\$N	13 47	7. GRADE/STATUS	
8. ORGANIZÁTION OR ADI	DRESS				63	
Da 3-15						
i,			WANT TO MAKE TH	E FOLLOWING ST	ATEMENT UNDER OATH:	
We had pulled	curr for a Snap	· TCP				
was right f	Beside Whele to	rey (E	4B) and sor	ne US force	, ware searching	
Cars. The are	a uz whain w	ns a de	rk place so	Tues upa	ring in No. 15.	
	d we vasa b					
lighting, when	- the Blue ofal	arvire è	Faidn't	pay much a	ttention to	
it. Then Alltu	e sydden I haer	etala b.	Fshowling	going on fo	my rour, so	
I sound my to	arrat around to	see wha	was happ	y . I Das	Samun Wixn	
a plad shirt or	craiseing his l	named yo	illing, Fu	en all to	ne sudden	
the man took of	ff around the c	av ant	into the	Sia oven a	oller The THR	
-	551()	· I could.	n'i moke sa	+ where x .		
3.77	4 7 7 W	<i>ነ</i> 5 ብ ር / እ ኔ	Free HILL	لم منتجاة د		
2101 119	Share A cuito	the H	184 mraha	. MI + .	T. 10 1	
All the sudden t	nave something Enound avail	neld the nginhis ise back	light of hi hand pu k be hindu	n for a fe t = could n ne intucal	thetoka fluas,	
Manthey were tracking and held the light of him for a few seconds the did appears to nave some thing in his hand but I couldn't tell what it was. All the sudden I neared a voise back behind me intucally that I was. Was covering, and figured the throat that I was covering was being handled by enough people, I wang any turned and hack him to at Alley.						
Tough peopl	by enough people, I swang way turned around back to that Alley					
The first the had board the shorts and valening to the						
all the Shooting had expired. End of Statement						
10. EXHIBIT		11. INITIA	S OF PERSON MAI	ING STATEMENT	PAGE 1 OF 2 PAGES	
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	For use of this form,	see AR 190-45; the proponent	agency is ODCSOP	S
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PAGE 3, DA FORM 2823, DEC 1998

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PAGE 3, DA FORM 2823, DEC 1998

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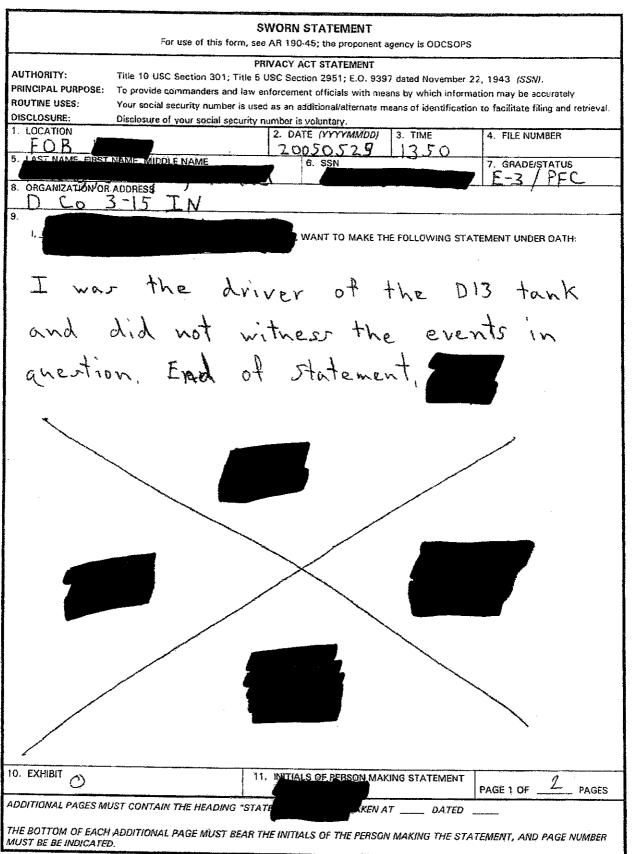
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PAGE 3, DA FORM 2823, DEC 1998

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INTENT: To provide as much <u>detailed</u> information as possible, in order to help the learning process in the Battalion.

WHAT WE NEED: Paint a picture of exactly what happened on the morning of 28 May 05. It needs to be like the reader is right there. Talk about the following things:

- -The "big picture" situation during the patrol
- -Describe the area; was it very dark, or well lit? Lots of cover, or very open?
- -Describe in detail, "blow-by-blow" what happened after the blue Opal Omega appeared.
- -Describe the suspect; threatening body language? Facial expression scared or threatening? Attempting to escape, or attempting to attack, or both?
- -What actions did the suspect physically take? Did he say/shout anything?
- -What set, actions, and indicators did the suspect show that showed him to be an immediate threat, and about to attack?
- -The suspect was armed. What was he doing with his weapon?
- -What was your thought process during this engagement?
- -When the suspect was viewed to be hostile, who was he potentially hostile to?

SELECT PERSONNEL: DRAW A SKETCH, showing the location, the suspect, and friendlies, including distances and as exact location as you can make it.