

PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE

Date : May 19, 2006

I, [redacted] after being advised by [redacted] that the Naval Criminal Investigative Service is conducting an investigation into UCMI violations Article 118 (MURDER), Article 31 (Conspiracy), Article 128 (Assault) and Article 134 (Kidnapping), have been requested to permit a search of my Email account: Hotmail Email address: [redacted]@Hotmail.com Password: [redacted]

I have been informed of my constitutional right to refuse to permit this search in the absence of a search warrant. In full understanding of this right, I have nevertheless decided to permit this search to be made.

This search may be conducted on or before 19MAY2007 by Representatives of NCIS, and I hereby give my permission to remove and retain any property or papers found during the search which are desired for investigative purposes.

I make this decision freely and voluntarily, and it is made with no threats having been made or promises extended to me.

[redacted] Sign: [redacted]

Representative, Naval Criminal Investigative Service

Command Representative

TIMES OF SEARCH

Start : _____

End : _____

1407 19MAY06
1412

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//FE/24D1/23B//

INVESTIGATIVE ACTION

31MAY06

CONTROL: 08MAY06-MEBJ-0357-7HMA

[REDACTED]

REVIEW OF [REDACTED] MSN HOTMAIL ACCOUNT EMAIL

1. On 19MAY06, emails for [REDACTED], were obtained with regard to this Iraqi civilian death investigation with alleged involvement of multiple U.S. Marines from the First (1st) Squad, Second (2nd) Platoon, Kilo Company, Third (3rd) Battalion, 5th Marine Regiment (3/5), 1st Marine Division, Camp Pendleton, CA. A Permissive Authorization for Search and Seizure (PASS) was obtained from [REDACTED] prior to NCIS recovering and reviewing emails, enclosure (A) pertains. Participants [REDACTED] Investigative Computer Specialist (ICS), NCIS Pacific Cyber Division (PCD), and [REDACTED] Analyst, PCD, obtained [REDACTED] "Hotmail" account emails and reviewed them. Specifically, [REDACTED] "MSN Hotmail" account: [REDACTED]@hotmail.com", with password: [REDACTED], was accessed by PCD personnel and assessed for any information which could assist in this investigation to date. Review by PCD personnel determined emails being present in [REDACTED] user account.

2. When [REDACTED] signed the PASS on 19MAY06, it legally enabled PCD personnel to access his "Hotmail" user account because the subject gave NCIS permission to do so. All subjects involved with this investigation signed these PASS' while they were still present in Iraq on 19MAY06. These PASS' were then faxed to NCISHQ and then subsequently faxed to PCD located in San Diego, CA. Again, all emails were obtained via a PASS and not via contact of Web-based Email Internet service companies with a NCIS Preservation Letter (PL). When subject PASS was obtained, PCD personnel accessed the subject user account. NCIS PCD personnel logged onto the Internet from a NCIS workstation computer located at PCD. While at the "Hotmail" website, on the Internet, PCD personnel with [REDACTED]s user id and password, logged into the "Hotmail" Internet web-based email account. They then began to print all the emails present in the user account on the date of 19MAY06. All emails obtained give a "snapshot picture in time" of all email in [REDACTED]s user account as of 19MAY06. All folders associated with this email account were accessed. These folders included the Inbox, Sent box, Draft, Trash, and any other folders PCD personnel may have come across when obtaining copies of all emails located in this accessed email account.

3. In the emails obtained from [REDACTED] inbox, personal emails regarding personal relationship problems, family members, contacts, and jokes were the only email related items present. It was also

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WARNING

EXHIBIT **183** 347

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18326

SUBJ: [REDACTED]
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

noted by PCD personnel that [REDACTED] might have user accounts at the following Internet sites:

Myspace.com	Account ID: Unknown	Password: [REDACTED]
Livejournal.com	Account ID: Unknown	Password: Unknown
Somasd.com	Account ID: Unknown	Password: Unknown

No information related to this investigation was noted as being present; enclosure (B) pertains. No information was deleted or manipulated by PCD personnel in any manner, other than printing emails. No further information obtained.

ENCLOSURES

- A) [REDACTED] Permissive Authorization for Search and Seizure/19MAY06
- B) [REDACTED] Emails/19MAY06

PARTICIPANTS

- [REDACTED] Investigative Computer Specialist, NCIS Pacific Cyber Division, San Diego, CA
- [REDACTED] Cyber Analyst, NCIS Pacific Cyber Division, San Diego, CA

REPORTED BY: [REDACTED] SPECIAL AGENT
OFFICE: PACIFIC CYBER DIVISION/24D5

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18337

PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE

Date : May 19, 2006

I, [REDACTED], after being advised by [REDACTED] the Naval Criminal Investigative Service is conducting an investigation into DCNI violations Article 118 (MURDER), Article 81 (Conspiracy), Article 121 (Assault) and Article 134 (Kidnapping), have been requested to permit a search of my Email account: [REDACTED] Email address: [REDACTED] @hotmail.com Password: [REDACTED]

I have been informed of my constitutional right to refuse to permit this search in the absence of a search warrant. In full understanding of this right, I have nevertheless decided to permit this search to be made.

This search may be conducted on or before 19MAY2006 by Representatives of NCIS, and I hereby give my permission to remove and retain any property or papers found during the search which are desired for investigative purposes.

I make this decision freely and voluntarily, and it is made with no threats having been made or promises extended to me.

Signature: [REDACTED]

Command Representative: [REDACTED]

TIMES OF SEARCH

Start : 1306
End : 1345

19MAY06

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ENCLOSURE (1)

18338

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

DELETED PAGE INFORMATION SHEET

Page(s) 350 - 492, Encl (B) to 31 May 06
I.A. (Exh. 183V)

withheld entirely at this location. One or more of the following explain this decision:

 Deleted under exemption(s) _____

 Documents originated with other government agency(ies).
Referred for review and direct response to you.

 Pages contain information furnished by other government
agency(ies). We will advise you of releasability of information
following consultation with agency(ies).

Comments: Not provided

Deleted page(s)
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//PE/24D1/23B//

INVESTIGATIVE ACTION

31MAY06

CONTROL: 08MAY06-MEBJ-0357-7HMA

REVIEW OF [REDACTED] MSN HOTMAIL ACCOUNT EMAIL

1. On 19MAY06, emails for [REDACTED] were obtained with regard to this Iraqi civilian death investigation with alleged involvement of multiple U.S. Marines from the First (1st) Squad, Second (2nd) Platoon, Kilo Company, Third (3rd) Battalion, 5th Marine Regiment (3/5), 1st Marine Division, Camp Pendleton, CA. A Permissive Authorization for Search and Seizure (PASS) was obtained from [REDACTED] prior to NCIS recovering and reviewing emails, enclosure (A) pertains. Participants [REDACTED] Investigative Computer Specialist (ICS), NCIS Pacific Cyber Division (PCD), and [REDACTED] Analyst, PCD, obtained [REDACTED] "Hotmail" account emails and reviewed them. Specifically, [REDACTED] "MSN Hotmail" email account: [REDACTED]@hotmail.com, with password: [REDACTED], was accessed by PCD personnel and assessed for any information which could assist in this investigation to date. Review by PCD personnel determined emails being present in [REDACTED] user account.

2. When [REDACTED] signed the PASS on 19MAY06, it legally enabled PCD personnel to access his "Hotmail" user account because the subject gave NCIS permission to do so. All subjects involved with this investigation signed these PASS' while they were still present in Iraq on 19MAY06. These PASS' were then faxed to NCISHQ and then subsequently faxed to PCD located in San Diego, CA. Again, all emails were obtained via a PASS and not via contact of Web-based Email Internet service companies with a NCIS Preservation Letter (PL). When subject PASS was obtained, PCD personnel accessed the subject user account. NCIS PCD personnel logged onto the Internet from a NCIS workstation computer located at PCD. While at the "Hotmail" website, on the Internet, PCD personnel, with [REDACTED] user id and password, logged into the "Hotmail" Internet web-based email account. They then began to print all the emails present in the user account on the date of 19MAY06. All emails obtained give a "snapshot picture in time" of all email in [REDACTED] user account as of 19MAY06. All folders associated with this email account were accessed. These folders included the Inbox, Sent box, Draft, Trash, and any other folders PCD personnel may have come across when obtaining copies of all emails located in this accessed email account.

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3. In the emails obtained from [REDACTED] account, personal emails regarding personal relationship problems, family members, contacts, and jokes were the only items present, enclosure (B) pertains. It was also determined [REDACTED] maybe seeking membership into an

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WARNING EXHIBIT 184 493

SUBJ: [REDACTED]

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

organization designated as the "KKK" (NFI), enclosure (C) pertains. It was also noted by PCD personnel, [REDACTED] might have a user account at the following Internet site:

Myspace.com Account ID: Unknown Password: Unknown

No information pertinent to this investigation was noted as being present. No information was deleted or manipulated by PCD personnel in any manner, other than printing emails. No further information obtained.

ENCLOSURES

- A) [REDACTED] Permissive Authorization for Search and Seizure/19MAY06
- B) [REDACTED] Emails/19MAY06
- C) [REDACTED] Emails/19MAY06

PARTICIPANTS

[REDACTED] Investigative Computer Specialist, NCIS Pacific Cyber Division, San Diego, CA

[REDACTED] Cyber Analyst, NCIS Pacific Cyber Division, San Diego, CA

REPORTED BY: [REDACTED]

OFFICE: PACIFIC CYBER DIVISION/24D5

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18341

PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE

Date : May 19, 2006

I, [REDACTED], after being advised by [REDACTED] that the Naval Criminal Investigative Service is conducting an investigation into UCMJ violations Article 118 (MURDER), Article 81 (Conspiracy), Article 128 (Assault) and Article 134 (Kidnapping), have been requested to permit a search of my Email account: [REDACTED]@hotmail.com Email address [REDACTED] Password [REDACTED]

I have been informed of my constitutional right to refuse to permit this search in the absence of a search warrant. In full understanding of this right, I have nevertheless decided to permit this search to be made.

This search may be conducted on or before 19MAY2007 by Representatives of NCIS, and I hereby give my permission to remove and retain any property or papers found during the search which are desired for investigative purposes.

I make this decision freely and voluntarily, and it is made with no threats having been made or promises extended to me.

[REDACTED] Signature [REDACTED]

Representative, Naval Criminal Investigative Service

Representative, Naval Criminal Investigative Service

Consented Representative

TIMES OF SEARCH

Start : _____
End : _____

1346 19MAY06
1406

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) 496-642 Encl (B) to 31 May 06
I.A. (Exh(184))

withheld entirely at this location. One or more of the following explain this decision:

Deleted under exemption(s)

Documents originated with other government agency(ies).
Referred for review and direct response to you.

Pages contain information furnished by other government
agency(ies). We will advise you of releasability of information
following consultation with agency(ies).

Comments: not provided

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//PE/24D1/23B//

INVESTIGATIVE ACTION

05JUN06

CONTROL: 08MAY06-MEBJ-0357-7HMA

RESULTS OF INTERVIEW WITH [REDACTED]

1. On 05Jun06, Reporting Agent (RA) interviewed [REDACTED] G6, First Marine Division (1MARDIV), USMC, regarding the policy and procedures used to store/retain government email accounts of U.S. Marines and a U.S. Navy corpsman assigned to the Third (3rd) Battalion, Fifth (5th) Marine Regiment (3/5), 1MARDIV, Marine Corps Base (MCB) Camp Pendleton, CA. The interview was conducted in building 1594 aboard MCB Camp Pendleton, CA.

2. According to [REDACTED] when 3/5 U.S. Marines/Sailors deploy from MCB Camp Pendleton to Iraq, their Microsoft Outlook email storage file (.pst files) is forwarded to email servers in Iraq. Following the movement of the file to Iraq there is no copy of the email files, folders, etc., retained at Camp Pendleton. [REDACTED] added that the latest "relief in place" from 3/5, 1MARDIV occurred in February 2006. [REDACTED] confirmed that government emails from the April - May 2006 timeframe should be located on the email servers in Iraq. [REDACTED] also stated that government email accounts of Navy corpsmen deploying with 3/5 should be located on the same email server.

3. [REDACTED] provided the G6 point of contacts in theatre as:
[REDACTED], IMEF Data Officer, DSN: [REDACTED]
[REDACTED], IMEF Operations Officer, DSN: [REDACTED]
[REDACTED] advised that [REDACTED] should have direct access to email accounts and [REDACTED] oversees all data operations.

BIOGRAPHICAL DATA

EMPLOYMENT: 1MARDIV ISMO, G6
RESIDENCE: BUILDING 1594, MCB CAMP PENDLETON
OTHER: PHONE: [REDACTED]

REPORTED BY: [REDACTED]
OFFICE: PACIFIC CYBER DIVISION/24D5

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EXHIBIT 185

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//PE/24D1/23B//

INVESTIGATIVE ACTION

20JUN06

CONTROL: 08MAY06-MEBJ-0357-7HMA

SEARCH AUTHORIZATION FOR DIGITAL IMAGES

1. On 20Jun06, Reporting Agent (RA) and Participating Agent (PA) met with [redacted] Headquarters Battalion, First Marine Division (1MARDIV) (Rein), USMC, to submit an Affidavit for Search Authorization of electronic media. [redacted] Deputy Staff Judge Advocate (SJA), 1MARDIV, USMC, was present and administered the oath to RA, who certifies the details of the affidavit are correct and accurate. The search affidavit specifically requested the search of electronic media for digital photographs pertaining to the death of V/AWAD.

2. RA presented a search affidavit to [redacted] for authorization to search the following personally owned items which were seized on 16May06 and 18May06 from [redacted], Third Battalion, Fifth Marines (3/5), USMC:
1) Sager laptop and internal hard disk drive
2) Olympus digital Camera
3) Scandisk 256MB thumb drive
4) 3.5" discs

Enclosure (A) is the affidavit for Search Authorization - [redacted]

In addition, the search affidavit requested authorization to search the following personally owned items seized on 18May06 and 20May06 from [redacted], 3/5, USMC:

- 1) iPod
2) Lexar 256 memory card
3) Nikon 4600 digital camera

Enclosure (B) is the affidavit for Search Authorization - [redacted]

Naval Criminal Investigative Service (NCIS) Evidence Custody Documents (ECD's) listing the above-mentioned items were attached to the affidavit and presented to [redacted] Enclosure (C) is the Supporting Affidavit Attachment - [redacted] and [redacted]

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3. [redacted] read the affidavit and approved the search of the above-mentioned items for digital images. Enclosures (D) and (E) are Command Authorization for Search and Seizure.

PARTICIPANT(S)

[redacted] Special Agent, NCISFO Camp Pendleton, CA

ENCLOSURE(S)

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WARNING EXHIBIT 186

SUBJ: [REDACTED]

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (A) Affidavit for Search Authorization [REDACTED]/20Jun06
- (B) Affidavit for Search Authorization [REDACTED]/20Jun06
- (C) Supporting Affidavit Attachment [REDACTED] an [REDACTED] 20Jun06
- (D) Command Authorization for Search and Seizure [REDACTED] 20Jun06
- (E) Command Authorization for Search and Seizure [REDACTED] 20Jun06

REPORTED BY: [REDACTED]

OFFICE: PACIFIC CYBER DIVISION/24D5

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LAS [REDACTED]

V2 LNY

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18346

Naval Criminal Investigative Service

UNITED STATES OF AMERICA
VS.

[REDACTED]

BEFORE the Commanding Officer, HQBN, 1MARDIV (RETN)

The undersigned, being duly sworn, requests authority to search:

The property [REDACTED], presently stored at the Regional Computer Forensic Laboratory, San Diego, CA, specifically a Sager laptop, Olympus digital Camera, Scandisk 256MB thumbdrive, 3.5" discs, and related media to include but not limited to other computer related storage media.

Believing that there is now being concealed certain property, namely:
Digital images pertinent to the death of Hashim Ibrahim AWAD.

The request for authorization to search and seize is made in connection with an investigation into the offense(s) of:

- UCMJ Article 81 (Conspiracy)
- UCMJ Article 118 (Murder)
- UCMJ Article 121 (Larceny)
- UCMJ Article 128 (Assault)
- UCMJ Article 134 (Kidnapping)

The facts and circumstances known to me tending to establish the foregoing grounds for authorization to search and seize, including comments demonstrating the reliability of the information and/or informant, are as follows:

See Attached Affidavit.

[REDACTED]

Signature of Affiant
Representative, Naval Criminal Investigative Service

Sworn to before me, and subscribed in my presence, this 20th day of June, 2006.

[REDACTED]

Signature of Person Administering Oath

[REDACTED] USMC, 1st MARDIV STA
Rank, Service, Title

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Naval Criminal Investigative Service

UNITED STATES OF AMERICA
VS.

BEFORE the Commanding Officer, HOBN, 1 MARDIV (REIN)

The undersigned, being duly sworn, requests authority to search:

The property of [REDACTED], presently stored at the Regional Computer Forensic Laboratory, San Diego, CA, specifically an IPOD, Lexar 256 memory card, Nikon 4600 digital camera, and related media to include but not limited to other computer related storage media.

Believing that there is now being concealed certain property, namely:
Digital images pertinent to the death of Hashim Ibrahim AWAD.

The request for authorization to search and seize is made in connection with an investigation into the offense(s) of:

- UCMJ Article 81 (Conspiracy)
- UCMJ Article 118 (Murder)
- UCMJ Article 121 (Larceny)
- UCMJ Article 128 (Assault)
- UCMJ Article 134 (Kidnapping)

The facts and circumstances known to me tending to establish the foregoing grounds for authorization to search and seize, including comments demonstrating the reliability of the information and/or informant, are as follows:

See Attached Affidavit.

[REDACTED]

Signature of Affiant
Representative, Naval Criminal Investigative Service

Sworn to before me, and subscribed in my presence, this 20th day of June, 2006.

[REDACTED]

Signature of Person Administering Oath

[REDACTED] USMC, 1 MARDIV STA

Rank, Service, Title

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AFFIDAVIT FOR AUTHORIZATION FOR SEARCH AND SEIZURE

I, Special Agent [REDACTED], of the Naval Criminal Investigative Service (NCIS) (hereinafter your affiant) do hereby solemnly swear to:

1. Your affiant is a duly sworn Federal Law Enforcement Officer. I have been a Special Agent with the Naval Criminal Investigative Service (NCIS) since 22Sep03. I have over 13 years of combined military and civilian computer experience. In 1992, I began my four-year enlistment with the United States Air Force, where I served as a computer operator. After four years of active duty, I served an additional two years in the United States Air Force Reserve, obtaining the rank of Staff Sergeant. My civilian experience includes eight years of support to the Naval Education and Training Command (NETC), Pensacola, Florida, where I worked as computer analyst and served as Task Manager for web services and software development. I am a graduate of the University of West Florida, obtaining my Bachelors of Science Degree in Computer Science in 2002. I am presently assigned to the NCIS Resident Agency, Okinawa, Japan. A partial listing of your affiant's training is listed as follows:

Criminal Investigator Training Program, Federal Law Enforcement Training Center, Glynco, GA (2004)

Naval Criminal Investigative Service Basic Add On, Federal Law Enforcement Training Center, Glynco, GA (2004)

Seized Computer Evidence Recover Specialist, Federal Law Enforcement Training Center, Glynco, GA (2004)

Encase Forensic Software Intermediate Analysis, Guidance Software, Sterling, VA (2004)

Encase Advanced Computer Forensics, Guidance Software, Sterling, VA (2004)

Introduction to Networks and Computer Hardware, Department of Defense Computer Investigations Training Program, Linthicum, MD (2004)

2. I have conducted numerous forensic computer examinations in support of NCIS investigations. Computer examinations require knowledge of software applications, data storage, data communications, computer hardware, and computer/network configurations.

3. As a result of your Affiant's training and experience, I have learned that computer operating system, files, and hardware information are items of evidence that can be retrieved through a thorough computer forensic examination.

4. This affidavit is made in support of an application for search of electronic media for digital images pertaining to the death of Hashim Ibrahim AWAD. Qualified computer forensic examiners working at the Regional Computer Forensic Laboratory (RCFL), San Diego, CA, will conduct the electronic media examinations. The search will include a forensic examination of the following items and associated computer related storage media:

Items seized on 16May06 and 18May06 from [REDACTED], 2d Plt, K Co, 3/5

- 1) Sager laptop
- 2) Olympus digital Camera
- 3) Scandisk 256MB thumbdrive
- 4) 3.5" discs

Items seized on 18May06 and 20May06 from [REDACTED], 2d Plt, K Co, 3/5

- 1) IPOD
- 2) Lexar 256 memory card
- 3) Nikon 4600 digital camera

See attached Evidence Custody Documents.

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NCIS Agents serving in NCISRA Camp Fallujah, Iraq seized the above-mentioned items via Command authorized search and seizure. The items are currently located at RCFL, San Diego. The items to be examined constitute evidence, fruits, and instrumentalities of violation of the following Articles of the UCMJ:

- Article 81, Conspiracy
- Article 118, Murder
- Article 121, Larceny
- Article 128, Assault
- Article 134, Kidnapping

Currently, both [redacted] and [redacted] are assigned to Headquarters Battalion, 1st Marine Division (Rein).

5. The following paragraphs (6) through (8) detail investigative measures as documented by Special Agents currently serving in NCISRA Camp Fallujah, Iraq.

6. On 04May06, [redacted] USMC, SJA, Regimental Combat Team Five (RCT-5), contacted NCISRA Camp Fallujah, Iraq concerning a complaint by [redacted] that [redacted] Hashim AWAD, was taken from his house and killed by Marines on 26Apr06 near Abu Ghurayb, Iraq. [redacted] stated on 01May06, [redacted] TF 1/1 Chromite, received a complaint from [redacted] alleging Marines had removed [redacted] HASHIM from his residence and killed him. [redacted] told [redacted] the incident occurred on 26Apr06 between 0200 - 0300. [redacted] said he lives 30m away and saw the Marines come to HASHIM's home and take him away. The next day [redacted] learned that HASHIM was dead and that the Marines had brought him to the Iraqi Police Department with a shovel and AK-47. [redacted] advised his neighbor, [redacted] told him that same night Marines came to his house and took his shovel and AK-47.

7. On 08May06, interviews of AWAD's family members were conducted. In addition, NCIS Agents conducted a death scene examination of the location where AWAD was shot and killed.

8. On 10May06, screening interviews of Marines with of 2nd Platoon, Kilo Company, 3/5, identified [redacted] being upset with what happened the night Hashim AWAD was killed by his squad. [redacted] was interviewed and related that [redacted] [redacted] and himself conspired to going into Hashim AWAD's house, removing him from the house and taking him to a location and killing him. [redacted] stated once they killed Hashim AWAD they all staged the death scene to make it appear as though there was a small arms gunfire battle between Hashim AWAD and the aforementioned Marines. [redacted] were subsequently interrogated and all admitted to taking a role in conspiring and murdering Hashim AWAD. Through [redacted] admissions it was discovered that the Marines [redacted] to assist in restraining him while the Marines got into a firing line to shoot him with their military issued rifles and kill him. Prior to going to the firing line, [redacted] attempted to gag Hashim AWAD with a triangular bandage but Hashim AWAD tried to bite him. [redacted] related that after [redacted] then used his knife [redacted] off Hashim AWAD. [redacted] advised photographs were taken by some of the aforementioned Marines prior to QRF arrival. The QRF was comprised of Marines from 2nd Platoon, Kilo Company 3/5.

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9. Affiant has reviewed voluntary statements and discovered the following statements were made referencing digital cameras and the taking of pictures related to the death of Hashim AWAD. Statements indicate that digital cameras were used and pictures were taken by [redacted] and/or [redacted]

Military Member	Statement Date, Page	Statement Quote
[redacted]	08May06, Pg 2.	I don't know for sure but once [redacted] arrived pictures of the dead man were taken and his brass from his AK 47 that he shot was collected.

[REDACTED]	11May06, Pg 2.	When I got to the body there was a bunch of people gathered around the body from my squad and third squad looking at the body. Some of the people from my squad were [REDACTED] and [REDACTED]. When I got up there, someone from third squad was taking pictures of the body with the AK-47.
[REDACTED]	18May06, Pg 3.	Once QRF arrived, they took pictures of the body, but I do not remember who from third squad actually took the pictures. No one to my knowledge took any pictures of the body until after QRF arrived. And I am sure that no one had pictures, because [REDACTED] was asking the squad members if anyone had pictures and everyone said no.
[REDACTED]	18May06, Pg 3.	Q: Special Agent [REDACTED] Did anyone take photos before or after the shooting? A: Yes [REDACTED] took pictures before the Quick Reaction Force arrived at our location and the Quick Reaction Force took pictures also when they arrived, but I don't remember who on the Quick Reaction Force took the pictures. [REDACTED] had pictures of the dead Iraqi man, but someone else in Kilo Co whose name I don't remember, but I think it was the seven ton driver, asked [REDACTED] about the pictures and [REDACTED] had he deleted the pictures from his camera.
[REDACTED]	18May06, Pg 6.	I had a camera with me that evening, but did not take any photos. [REDACTED] has a digital camera, but I do not know if he brought it that night or took any photos. [REDACTED] brought his digital camera because it is attached to his 782 gear. He may have been the one to take pictures, but I'm not sure. It could have been someone in the QRF team.
[REDACTED]	18May06, Pg 5.	Q: Special Agent [REDACTED] Did [REDACTED] take photographs of the Iraqi male before or after the shooting? A: Yes [REDACTED] took some pictures of the Iraqi male with his personal digital camera after he was dead. Q: Special Agent [REDACTED] How many pictures of the dead Iraqi male did [REDACTED] take? I believe he took three (3).
[REDACTED]	18May06, Pg 2.	I have a digital camera, but I did not bring it with me that night. I never bring it anywhere at night because I can't have the flash going off when the squad is operating.
[REDACTED]	29May06, Pgs 1,2.	At this point, there were a lot of camera flashes, from what I remember. I saw [REDACTED] and I believe [REDACTED] take pictures of the dead guy. [REDACTED] took pictures of the Iraqi holding the AK-47. After [REDACTED] took the pictures, [REDACTED] checked the Iraqi once more to make sure that he was dead and loaded him into a body bag.
[REDACTED]	29May06, Pg 2.	After inspecting the scene I directed [REDACTED] to ensure that photographs of all evidence was taken and that a photograph was taken from the position 1 st Squad was in when the incident occurred. [REDACTED] indicated to me that they did not have their government issued camera but that [REDACTED] had his personal camera and would be able to take the requisite photographs. [REDACTED] then took approximately five to six photographs of the scene which I later obtained in preparation for the after action brief of the incident for the Battalion Commander.
[REDACTED]	28May06, Pg 1.	I remember that somebody there took pictures, for evidence reasons, but I do not remember who that person was.
[REDACTED]	28May06, Pg 2.	As we were all looking at the body, I recall that someone was taking pictures of the whole scene: body area, everything. To me it didn't seem weird that someone was

b7c

mwp 340-06 shelf A 2 floor

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE NAE 33	CONTROL 06MAY06 MERS-0357-74MA	LOG NUMBER 150-06	DATE AND TIME OF SEIZURE 16 May 06 / 1439
NAME OF PERSON FROM WHOM PROPERTY SEIZED COMMAND SEARCH WARRANT		LOCATION WHERE PROPERTY SEIZED Abu Ghurayb Iraq	
NI TITLE [REDACTED]			

ITEM	QUAN-TITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A			<p>ONE sealed PLASTIC BAG CONTAINING ONE SAMSUNG CAMCORDER SCL91 Hi 8 with BLACK CASE CONTAINING 2 CAMCORDER TAPES X NOTE CAMCORDER WITH TAPE IN IT. ONE Power supply</p> <p>Sealed BROWN BAG CONTAINING ONE PLASTIC CASE WITH 12 3.5 DISK</p>
B			

LOOT ITEMS b7c

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE)	NAME AND SIGNATURE OF RECEIVING S/A
--	-------------------------------------

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A + B	17 MAY 06 0200	<small>NAME</small> [REDACTED] <small>ORGANIZATION</small> CID <small>SIGNATURE</small> [REDACTED]	<small>NAME</small> [REDACTED] <small>ORGANIZATION</small> NLIS <small>SIGNATURE</small> [REDACTED]	CUSTODY
A + B	06 JUN 06 1500	<small>NAME</small> [REDACTED] <small>ORGANIZATION</small> NLIS <small>SIGNATURE</small> [REDACTED]	<small>NAME</small> [REDACTED] <small>ORGANIZATION</small> NLIS <small>SIGNATURE</small> [REDACTED]	TRANSFER TO U.S.A.
A + B	20 JUN 06 1742	<small>NAME</small> [REDACTED] <small>ORGANIZATION</small> NLIS <small>SIGNATURE</small> [REDACTED]	<small>NAME</small> [REDACTED] <small>ORGANIZATION</small> 0073 DRAG TF <small>SIGNATURE</small> [REDACTED]	CUSTODY
A + B	07 JUN 06 2145	<small>NAME</small> [REDACTED] <small>ORGANIZATION</small> 0073 DRAG TF <small>SIGNATURE</small> [REDACTED]	<small>NAME</small> [REDACTED] <small>ORGANIZATION</small> DLWA/NLIS <small>SIGNATURE</small> [REDACTED]	TEMP CUSTODY

CHAIN OF CUSTODY (Continued)

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A B	08 JUN 06 1012	NAME [REDACTED]	NAME Felix	
		ORGANIZATION DWM/NCIS	ORGANIZATION 853048303590	
		SIGNATURE [REDACTED]	SIGNATURE	
A B	JUN 09 2006 1230	NAME Felix	NAME [REDACTED]	EVIDENCE CUSTODY RECEIVED SEALED: NOT MONITORED
		ORGANIZATION 853048303590	ORGANIZATION PE	
		SIGNATURE	SIGNATURE [REDACTED]	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

REMARKS

Agents Note on 20AARV06 @ 1615 HR [REDACTED] and witness by [REDACTED]
 Placed 1st item (B) Additional Descriptions of items found in item (A) [REDACTED]
 Placed His INITIALS to indicate Addition to assist command with checking [REDACTED]
 out [REDACTED]

b2c

FINAL DISPOSAL ACTION

FINAL DISPOSAL AUTHORITY

NAME (PRINTED) _____ RANK/TITLE _____ ORGANIZATION _____

PERSON(S) RECEIVING ITEM(S)/WITNESSING DESTRUCTION

#	NAME	ORGANIZATION	SIGNATURE/DATE
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

MAY BE CONTINUED IN REMARKS IF NECESSARY

INDICATE IN DISPOSAL ACTION COLUMN (ON FRONT) BY NUMBER AND LETTER CODE PERSON(S) RECEIVING OR WITNESSING ACTION AND TYPE OF ACTION. RETURNED TO INDIVIDUAL (I), RETURNED TO COMMAND (C), TURNED INTO SUPPLY (S), TO ANOTHER AGENCY (A), TO NIS (N), DESTROYED (D), OTHER (O) (SEE REMARKS ABOVE).

20 JUN 2006

653

MWA 361-06

Floor R4 1

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE MEBJ	CONTROL 08 MAY 06 MEBJ 0357-7HMA	LOG NUMBER 19006	DATE AND TIME OF SEIZURE 18 MAY 06 2130
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NAME OF PERSON FROM WHOM PROPERTY SEIZED [REDACTED]	LOCATION WHERE PROPERTY SEIZED 3/5 Compound
--	---

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE
A			ONE SEALED BROWN BAG CONTAINING ONE SAGER LAPTOP COMPUTER SER # 8505SL83 900 TAKEN FROM [REDACTED] PLUS POWER SUPPLY
B			SEALED BROWN BAG CONTAINING ONE OLYMPUS FE-110 5.10 MEGAPIXEL CAMERA WITH BLACK CASE
C			ONE SEALED BROWN BAG CONTAINING ONE SONDISK THUMB DRIVE 256MB

LAST ITEM

b7c

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE)	NAME AND SIGNATURE OF RECEIVING OFFICER
--	---

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A THRU C	18 MAY 06 2335	[REDACTED]	[REDACTED]	Custody
A THRU C	06 JUN 06 1500	NLES	NLES	TRANSFER TO U.S.A
A THRU C	07 JUN 06 1720	NLES	0023 PRAD TF	CUSTODY
A THRU C	07 JUN 06 2145	0023 PRAD TF	DCI/OPS/NEWS	TEMP CUSTODY

CHAIN OF CUSTODY (Continued)

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A C	08 Jun 0948	NAME [REDACTED]	NAME FedEx	transfer
		ORGANIZATION DEWIT/NCIS	ORGANIZATION 85304 8303590	
		SIGNATURE [REDACTED]	SIGNATURE [REDACTED]	
A AN C	JUN 09 2006 1230	NAME Fed Ex	NAME [REDACTED]	EVIDENCE CUSTODY RECEIVED SEALED NOT INVENTORIED
		ORGANIZATION 85304 8303590	ORGANIZATION FE	
		SIGNATURE [REDACTED]	SIGNATURE [REDACTED]	
		NAME [REDACTED]		
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

REMARKS

b7C

FINAL DISPOSAL ACTION

FINAL DISPOSAL AUTHORITY

NAME (PRINTED)

RANK/TITLE

ORGANIZATION

PERSON(S) RECEIVING ITEM(S)/WITNESSING DESTRUCTION

NAME

ORGANIZATION

SIGNATURE/DATE

1. _____

2. _____

3. _____

4. _____

MAY BE CONTINUED IN REMARKS IF NECESSARY

INDICATE IN DISPOSAL ACTION COLUMN (ON FRONT) BY NUMBER AND LETTER RECEIVING OR WITNESSING ACTION AND TYPE OF ACTION. RETURNED TO INDIVIDUAL OWNER (I), RETURNED TO SUPPLY (S), TO ANOTHER AGENCY (A), TO NIS (N), DESTROYED (D), OTHER METHOD (M) (EXPLAIN IN REMARKS)

18356

20 Jun 2006

MUPP
U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

360-06 *Fusion 1*

CODE MEBS	CONTROL 08MAY06-MBSJ-0357-7HMA	LOG NUMBER 177-06	DATE AND TIME OF SEIZURE 18MAY06/2235
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NAME OF PERSON FROM WHOM PROPERTY SEIZED [REDACTED]	LOCATION WHERE PROPERTY SEIZED 3/5 Compound
--	---

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		Sealed BROWN BAG CONTAINING ONE IPOD 30 GB SERIAL # 4W5SOXSNTXK silver in color
B			ONE SEALED BROWN BAG CONTAINING ONE LEXAR 256MB SD CARD

Last Item

b7C

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE)	NAME AND SIGNATURE OF AGENT
--	-----------------------------

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	2335	[REDACTED]	[REDACTED]	Custody
B	18MAY06	NCIS	NCIS	
A	06JUN06	[REDACTED]	[REDACTED]	TRANSFER TO U.S.A.
B	1500	NCIS	NCIS	
A	07JUN06	[REDACTED]	[REDACTED]	CUSTODY
B	1720	NCIS	0023 ZRAO TF	
A	07JUN06	[REDACTED]	[REDACTED]	TEMP CUSTODY
B	2143	0023 ZRAO TF	NEWA	

CHAIN OF CUSTODY (Continued)

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A + B	08 JUN 06 0941	[REDACTED]	NAME Felix	transfer
		ORGANIZATION DCWA/SCD	ORGANIZATION 853048303590	
		[REDACTED]	SIGNATURE	
A B	JUN 09 2006 1230	NAME J. F. Ford	NAME [REDACTED] EVIDENCE CUSTODIAN	EVIDENCE CUSTODY RECEIVED SEALED NOT INVENTORIED
		ORGANIZATION 853048003590	ORGANIZATION PE	
		[REDACTED]	SIGNATURE	
		NAME [REDACTED]	NAME [REDACTED]	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

REMARKS

b7c

FINAL DISPOSAL ACTION

FINAL DISPOSAL AUTHORITY

NAME (PRINTED) _____ RANK/TITLE _____ ORGANIZATION _____

PERSON(S) RECEIVING ITEM(S)/WITNESSING DESTRUCTION

#	NAME	ORGANIZATION	SIGNATURE/DATE
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

MAY BE CONTINUED IN REMARKS IF NECESSARY

INDICATE IN DISPOSAL ACTION COLUMN (ON FRONT) BY NUMBER AND LETTER CODE PERSON(S) RECEIVING OR WITNESSING ACTION AND TYPE OF ACTION. RETURNED TO INDIVIDUAL OWNER (I), RETURNED TO COMMAND (C), TURNED INTO SUPPLY (S), TO ANOTHER AGENCY (A), TO NIS (N), DESTROYED (D), OTHER METHOD (O) (SEE INSTRUCTIONS ON FRONT) (SEE ABOVE).

20 Jun 2006

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MWPB 355-06 Fian Am 1

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE NEBJ	CONTROL 02MAY06MERT 0357-7HNA	LOG NUMBER 167-06	DATE AND TIME OF SEIZURE 0933 / 20MAY06
NAME OF PERSON FROM WHOM PROPERTY SEIZED [REDACTED]		LOCATION WHERE PROPERTY SEIZED 75 Compound	

ITEM	QUAN-TITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A			<p>ONE sealed Brown Bag Containing one NIKON 4600 30924742</p> <p style="font-size: 2em; text-align: center; opacity: 0.5;">East of Jam</p> <p style="font-size: 3em; text-align: right; opacity: 0.5;">b7C</p>

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE) [REDACTED]

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A only	20MAY06 1600	[REDACTED] ORGANIZATION: NCLIS	[REDACTED] ORGANIZATION: NCLIS	Custody
A only	06JUN06 1500	[REDACTED] ORGANIZATION: NCLIS	[REDACTED] ORGANIZATION: NCLIS	TRANSFER TO USIA
A only	07JUN06 1705	[REDACTED] ORGANIZATION: NCLIS	[REDACTED] ORGANIZATION: 0023 ERAR TF	CUSTODY
A only	07JUN06 2147	[REDACTED] ORGANIZATION: 0023 ERAR TF	[REDACTED] ORGANIZATION: PCWA/NCLIS	TEMP CUSTODY

CHAIN OF CUSTODY (Continued)

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A only	08 JUN 06 1011	NAME [REDACTED]	NAME FED EX	TRANSFER
		ORGANIZATION DCWA/NCLS	ORGANIZATION 85304 8303590	
		SIGNATURE [REDACTED]	SIGNATURE	
A	JUN 09 2006 1230	NAME FOD	NAME [REDACTED]	EVIDENCE CUSTODY RECEIVED SEALED NOT INVENTORIED
		ORGANIZATION 85304 8303590	ORGANIZATION EVIDENCE CUSTODIAN PE	
		SIGNATURE	SIGNATURE [REDACTED]	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

REMARKS
 [REDACTED] ADVISED THAT [REDACTED] Had his camera. He [REDACTED] himself
 went to supply area and [REDACTED] RA the [REDACTED] camera @ 0933. RA
 provided [REDACTED] a Receipt for camera

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FINAL DISPOSAL ACTION

FINAL DISPOSAL AUTHORITY

NAME (PRINTED) _____ RANK/TITLE _____ ORGANIZATION _____

PERSON(S) RECEIVING ITEM(S)/WITNESSING DESTRUCTION

#	NAME	ORGANIZATION	SIGNATURE/DATE
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

MAY BE CONTINUED IN REMARKS IF NECESSARY

INDICATE IN DISPOSAL ACTION COLUMN (ON FRONT) BY NUMBER AND LETTER CODE PERSON(S) RECEIVING OR WITNESSING ACTION AND TYPE OF ACTION. RETURNED TO INDIVIDUAL OWNER (I), RETURNED TO COMMAND (C), TURNED INTO SUPPLY (S), TO ANOTHER AGENCY (A), TO NIS (N), DESTROYED (D), OTHER METHOD (M) (EXPLAIN IN REMARKS ABOVE).

Command Authorization for Search and Seizure

UNITED STATES OF AMERICA
VS.

[REDACTED]

TO: Special Agent [REDACTED] Naval Criminal Investigative Service

Affidavit(s) having been made before me by [REDACTED]

That there is reason to believe that on the person of and/or on the premises known as:
The property [REDACTED] presently stored at the Regional Computer Forensic Laboratory, San Diego, CA, specifically a Sager laptop, Olympus digital Camera, Scandisk 256MB thumbdrive, 3.5" discs, and related media to include but not limited to other computer related storage media.

which is/are under my jurisdiction,

there is now being concealed certain property, namely:
Digital images pertinent to the death of Hashim Ibrahim AWAD.

I am satisfied that there is probable cause to believe that the property so described is being concealed on the person and/or premises above described and that grounds for application for issuance of a command authorized search exist as stated in the supporting affidavit(s).

YOU ARE HEREBY AUTHORIZED TO SEARCH the person and/or place named for the property specified and if the property is found there to seize it, leaving a copy of this authorization and receipt for the property taken. You will provide a signed receipt to this command, containing a full description of every item seized.

Any assistance desired in conducting this search will be provided by this command.

Dated this 20th day of June, 2006.

[REDACTED SIGNATURE]

[REDACTED] MC
Commanding Officer
Headquarters Battalion, 1st Marine Division (Rein)

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ENCLOSURE (1)

Command Authorization for Search and Seizure

UNITED STATES OF AMERICA
VS.

[REDACTED]

TO: Special Agent [REDACTED] Naval Criminal Investigative Service

Affidavit(s) having been made before me by [REDACTED]

That there is reason to believe that on the person of and/or on the premises known as:
The property of [REDACTED] presently stored at the Regional Computer Forensic Laboratory,
San Diego, CA, specifically an IPOD, Lexar 256 memory card, Nikon 4600 digital camera, and related media to
include but not limited to other computer related storage media.

which is/are under my jurisdiction,

there is now being concealed certain property, namely:
Digital images pertinent to the death of Hashim Ibrahim AWAD.

I am satisfied that there is probable cause to believe that the property so described is being concealed on
the person and/or premises above described and that grounds for application for issuance of a command
authorized search exist as stated in the supporting affidavit(s).

YOU ARE HEREBY AUTHORIZED TO SEARCH the person and/or place named for the property
specified and if the property is found there to seize it, leaving a copy of this authorization and receipt for the
property taken. You will provide a signed receipt to this command, containing a full description of every item
seized.

Any assistance desired in conducting this search will be [REDACTED] this command.

Dated this 20th day of June, 2006.

[REDACTED SIGNATURE]

b7c

MC
Commanding Officer
Headquarters Battalion, 1st Marine Division (Rein)

ENCLOSURE (E)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//PE/24D1/23B//

INVESTIGATIVE ACTION

21JUN06

CONTROL: 08MAY06-MEBJ-0357-7HMA



RCFL REQUEST FOR FORENSIC EXAMINATION OF ELECTRONIC MEDIA

1. On 09Jun06, Naval Criminal Investigative Service Field Office (NCISFO) Marine Corps West Camp Pendleton, CA received several items of evidence pertaining to captioned investigation. On 14Jun06, Reporting Agent (RA) coordinated with [REDACTED] NCISFO Marine Corps West Camp Pendleton Evidence Custodian, and identified evidence (electronic media) that would be examined by the Regional Computer Forensic Laboratory (RCFL), San Diego, CA. The identified electronic media was subsequently delivered to the RCFL evidence repository on 14Jun06. Enclosure (A) is a RCFL forensic service request form and RCFL Evidence Custody intake form.

2. On 14Jun06, RA provided [REDACTED] RCFL [REDACTED] a fax-copy of a Permissive Authorization of Search and Seizure (PASS) signed by [REDACTED] Third Battalion, Fifth Marines (3/5), allowing [REDACTED] to initiate a computer examination of [REDACTED] personally owned computer for data pertaining to the death of V/AWAD. Enclosure (B) is a copy of a PASS form signed by [REDACTED]

3. On 16Jun06, RA provided [REDACTED] a fax-copy of a PASS form signed by [REDACTED], 3/5, allowing [REDACTED] to search the files on a government thumb drive that [REDACTED] controls for Kilo Company, 3/5. Enclosure (C) is a copy of a PASS form signed by [REDACTED]

4. On 20Jun06, RA provided [REDACTED] a fax-copy of a Command Authorization for Search and Seizure, allowing [REDACTED] to examine personally owned electronic media belonging to [REDACTED] and [REDACTED]. The search authorization permits the search of the media for digital images. Enclosure (D) and (E) are command authorizations for search and seizure for electronic media owned by [REDACTED] and [REDACTED]

b7c

ENCLOSURE(S)

- (A) RCFL Forensic Service Request and Evidence Custody Form/14Jun06
- (B) Permissive Authorization for Search and Seizure signed by [REDACTED] 19May06
- (C) Permissive Authorization for Search and Seizure signed by [REDACTED] 29May06
- (D) Command Authorization for Search and Seizure - [REDACTED] 20Jun06
- (E) Command Authorization for Search and Seizure - [REDACTED] 20Jun06

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WARNING

EXHIBIT **✓87**

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AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORTED BY: ██████████
OFFICE: PACIFIC CYBER DIVISION/24D5

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Page 2

LAST

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