

DEPARTMENT OF THE ARMY  
TORT AND SPECIAL CLAIMS APPLICATION  
CLAIM SUMMARY SHEET

06IO6T317-

(b)(6)

**Claimant's Assertion**

Son was driving home near x-military camp when he was shot & killed by CF

**Claimant Information**

Claimant Name: (b)(6)  
 Claimant SSN:  
 Claimant DOB:  
 Insured or Deceased: Son  
 Deceased SSN:  
 Deceased DOB:  
 Claimant Phone:  
 Claimant Address: . ()  
 Claimant Representation:  
 Pro Se  
 Claimed Amount: \$2,620.00  
     Property Damage: \$120.00  
     Personal Injury: \$0.00  
     Wrongful Death: \$2,500.00

**Claim Information**

ClaimID: 06IO6T317  
 Companion(s):  
 Incident Location: Kirkuk, Iraq on 31-Oct-05  
 Incident Date: 31-Oct-05  
 Date Filed: 06-Mar-06  
 Filing Office: IO6-FCC IO6 1BCT 101 ABN DIV (AASLT) (Ir)  
 Current Office: HQZ-USARCS Claim Retirement Processing  
 Chapters:  
 Chapter 10 - Foreign Claims Act  
 Damage Code:  
 UNKNOWN  
 Basis Code: UNKNOWN  
 Incident Source: OTHER

**Army Team**

Field Office Investigator: SGT (b)(3),(b)(6)  
 Field Office Attorney:  
 USARCS Area Action Officer:  
 USARCS Investigator:  
 USARCS Paralegal:

**Final Disposition**

Action	Date	Amount
Claim Denied	12-Mar-06	\$0.00

Uploaded Documents Document	Date	Who

Claim Retirement Information Shipment Number	Date	Box

CENTCOM 002539

06-IO6-T-0317-00001



Devial Served 24 APR

~~S:116MSY~~ 24 MAY

06-IO6-T0317



**DEPARTMENT OF THE ARMY**  
Office of the Command Judge Advocate  
1<sup>st</sup> Brigade Combat Team, 101<sup>st</sup> Airborne Division (AASLT)  
FOB Warrior, Kirkuk, Iraq, APO AE 09335

**REPLY TO  
ATTENTION OF:**

AFZB-KA-CJA

12 March 2006

MEMORANDUM OF OPINION

**APR 24 2006**

SUBJECT: Claim of (b)(6) 06-IO6-T0317

1. Claimants name and address: (b)(6) Kirkuk, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 31 October 2005 in Kirkuk, Iraq.
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$2,620.00 on 6 March 2006.
4. Chapter the claim was considered under and a brief description of the incident or of the issues raised by the claimant on reconsideration: Foreign Claims Act and Chapter 10, AR 27-20; claim filed for damages to vehicle and wrongful death.
5. Facts:
  - a. (b)(6) claims that on 31 October 2005, Coalition Forces (CF) shot and killed his son (b)(6).
  - b. There was a police report, witness statements, photographs, medical reports, death certificate and estimates included in the submitted claim. CF provided a 15-6 and purchase order-invoice-voucher.
  - c. A condolence payment has already been given to the wife ( (b)(6) ).
6. Opinion:
  - a. In order to form a basis for a claim under the FCA, the incident in question must have arisen outside the United States. In addition, the incident must be caused by either non-combat activities of the United States Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces.

CENTCOM 002542

06-IO6-T-0317-00004

AFZB-KA-CJA  
SUBJECT: Claim of

(b)(6)

06-IO6-T0317

b. There is insufficient evidence to suggest that this incident arose out of the negligence and/or wrongful acts of the United States Armed Forces. This incident is a result of combat related activities.

7. Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for \$2,620.00 is denied.

(b)(3)(b)(6)

MAJ, JA  
Foreign Claims Commissioner

Page 6 redacted for the following reason:

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Foreign Language Text

**CLAIM FOR DAMAGE .OR  
INJURY DEATH**

*Accident/Inj. Fires* ~~Motor Veh. Accident~~  
**INSTRUCTION:** Please read carefully the instruction on the reverse side and supply information requested on both sides of this form .Use additional sheets (s)

person  
From  
approve  
MBC

SARKIS	SITE OF THE ACCIDENT <i>x- Military camp.</i>		3. Name of claimants & Address <i>Kirkuk - QADSIYA</i> <i>06-IO6-T0317</i>	
	(b)(6)			

GENDER <i>Male</i>	4. DATE OF BIRTH <i>(b)(6)</i>	5. MARITAL STATUS <i>Married</i>	6. DATE & DAY OF ACCIDENT <i>31<sup>st</sup> Oct. 05</i>	TIME: <i>5:30 PM</i>
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*His son (b)(6) was driving back home along with his wife & kids. Near the x-military camp, a convoy of CF's came next to him, one of the soldiers open fire to the driver. one bullet hit him in the chest and killed him at once.*

*He is asking to compensate his sons death.*

Property damage

**INJURY**

*The son (b)(6) was dead.*

**WITNESSES**

NAME	ADDRESS



**Amount of claim (IN Dollars)**

12A PROPERTY <i>\$120</i>	12b PERSONAL INJURY <i>/</i>	12c WRONGFUL DEATH <i>2500</i>	12A <i>\$2620</i> <i>\$120</i>
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**I CERTIFY THAT AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURY CAUSED BY THE ACCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM**

<b>F CLAIMANT</b> <i>(b)(6)</i>	<b>12d. Phone number of claimant</b> <i>(b)(6)</i>	<b>14c. Date of claim</b> <i>28<sup>th</sup> Feb. 06</i>
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**CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM**      **CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSIFYING STATEMENTS**

Page 8 redacted for the following reason:

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Already reviewed and redacted for release, (b)(5)

U.S. GOVERNMENT

**PURCHASE ORDER-INVOICE-VOUCHER**

DATE OF ORDER <b>5-Nov-05</b>		ORDER NO. <b>(b)(2)High</b>	
PRINT NAME AND ADDRESS OF SELLER (Number, Street, City, and State)* <b>(b)(6)</b> <b>KIRKUK, IRAQ</b>			
FURNISH SUPPLIES OR SERVICES TO (Name and Address)* <b>Payment to (b)(6) for death of her husband (b)(6) who was shot and killed by coalition forces on 31-Oct-05 in Kirkuk, Iraq.</b>			
SUPPLIES OR SERVICES		QUANTITY	UNIT PRICE
<b>Condolence payment to wife</b>		<b>1</b>	<b>\$2,500</b>
AGENCY NAME AND BILLING ADDRESS* <b>217th Finance Detachment</b> <b>40th Finance Battalion</b> <b>Kirkuk, Iraq</b>		TOTAL <b>\$2,500.00</b>	
PAYOR		DISCOUNT TERMS <b>0.00%</b> <b>0</b> DAYS	
		DATE INVOICE RECEIVED <b>5-Nov-05</b>	
ORDERED BY (Signature and Title) <b>CPT (b)(3)(b)(6), 2-327 PPO (b)(3)(b)(6)</b>			
PURPOSE AND ACCOUNTING DATA <b>(b)(2)High</b>			
RECEIVED BY <b>LT (b)(3)(b)(6) (b)(3)(b)(6)</b>			
TITLE <b>C Company Project Officer</b> <b>5-Nov-05</b>			
<b>SELLER - Please read instructions to the right of this electronic form</b>			
<input checked="" type="checkbox"/> PAYMENT RECEIVED <b>\$2,500.00</b>		<input checked="" type="checkbox"/> PAYMENT REQUESTED <b>\$2,500.00</b>	
<b>NO FURTHER INVOICE NEED BE SUBMITTED</b>			
SELLER BY <b>Foreign Language</b>		DATE <b>5-Nov-05</b>	
I certify that this account is correct and proper for payment in the amount of <b>\$2,500.00</b>		DIFFERENCES <b>\$0.00</b>	
		<b>\$0.00</b>	
		<b>\$0.00</b>	
<b>2LT (b)(3)(b)(6) Pay (b)(3)(b)(6)</b>		ACCOUNT VERIFIED: <b>\$2,500.00</b>	
		CORRECT FOR	
(Authorized certifying officer)		BY	
PAID BY <input checked="" type="checkbox"/> CASH		DATE PAID <b>5-Nov-05</b>	
		VOUCHER NO. <b>CPFAAS63060014</b>	

CENTCOM 002547



**OFFICE OF THE COALITION PROVISIONAL AUTHORITY**  
**(OCPA) PROJECT WORKSHEET**

**TYPE OF OPCA PROJECT:** Regional Level Quick Impact Fund

**MILITARY UNIT COORDINATING PROJECT:** HHC/2d Bn/1<sup>st</sup> BCT/101<sup>st</sup> Abn Div, Judge Advocate

**MILITARY UNIT CONTACT INFO FOR PROJECT**

**NAME:** CPT (b)(3)(b)(6)

**PHONE:** VOIP 612-6402

**NAME THE PROJECT:** Condolence Payment for death of (b)(3)(b)(6)

**PROJECT LOCATION:** Kirkuk, Iraq

**PROJECT DESCRIPTION:** Condolence Payment to (b)(3)(b)(6) for death of her husband  
(b)(3)(b)(6)

**DESCRIBE DIRECT BENEFIT TO IRAQI POPULATION:** Condolence payments are cash payments to local nationals, or to their family members, who suffer death or injury or property damage caused by US forces in the performance of official duty. US forces make Condolence payments without reference to fault by either the local national or US forces, as an expression of sympathy and good will and in the best interest of the US Government.

**COST (U.S. Dollars) AND JUSTIFICATION:** \$2,500.00. (b)(6) s car was fired upon by Coalition Forces, when he failed to stop as ordered, this resulted in his injury and subsequent death.

**NAME AND POSITION OF IRAQI WHO WILL COMPLETE PROJECT (Responsible Iraqi):** Foreign Language **THE**

**ESTIMATED DAYS REQUIRED TO COMPLETE PROJECT:** 1

CENTCOM 002549

06-IO6-T-0317-00011



**DEPARTMENT OF THE ARMY**  
 Headquarters, 2d Battalion  
 1st Brigade Combat Team  
 101<sup>st</sup> Airborne Division (Air Assault)  
 Forward Operating Base Warrior  
 Kirkuk, Iraq



AFZB-KA-H

31 October 2005

MEMORANDUM FOR Commanding Officer 1st Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), FOB Warrior, Kirkuk Iraq,

SUBJECT: Request for monies from the 2-327 IN CERP Commander's Battle Damage Fund.

- The purpose of this memorandum is to request a Battle Damage Payment be made to (b)(6) wife of the deceased, in order to express sympathy for Coalition Forces caused damage to the property of an Iraqi Citizen that occurred on 31 October 2005 in Kirkuk..
- Description of the incident predicated this payment request: On 31 OCT 05 at 1740hrs C/2-327 reported that while driving on (b)(2)High C16 convoy observed a vehicle in the opposite lane pull out from a line of stopped vehicles and accelerated towards the convoy. The gunner (SPC (b)(3)(b)(6) waved a chemical light at the vehicle and then threw the chemical light towards the vehicle in an effort to alert the driver. When the driver still did not stop, the gunner fired one .50 cal round at the vehicle, which entered the windshield and grazed the driver (Yussef Ibrahim (T)) in the right shoulder and caused damage to the windshield, front and rear upholstery. Contact has been made with the driver's nephew (b)(6) to facilitate payment of \$300 as compensation to the wife of the owner of the vehicle. 2-327 IN utilized an interpreter to call a auto body shop to estimate repair costs for the windshield, front and rear upholstery and trunk of a 4 door, late 1990s model Opel.

3. List the specific items or services requested in the table below:

ITEM #	ITEM TO BE PURCHASED OR SERVICE RENDERED	Unit Price	Quantity	TOTAL
1	Front Windshield	\$100.00		\$100.00
2	Front and Rear Upholstry	\$100.00		\$100.00
3	Trunk Lid	\$100.00		\$100.00
	<b>TOTAL</b>			<b>\$300.00</b>

4. POC for this action is CPT (b)(3)(b)(6) VOIP (b)(2)High

approve ~~disapprove~~ this Battle Damage Payment.

(b)(3)(b)(6)

I recommend approval / ~~disapproval~~ of this Battle Damage Payment.

(b)(3)(b)(6)

*- LN was negligent in his actions. It is up to the command whether payment is made.*

MAJ, JA  
 Command Judge Advocate

I approve / ~~disapprove~~ this Battle Damage Paymer

(b)(3)(b)(6)

COL, IN  
 Commanding

CENTCOM 002550

06-IO6-T-0317-00012

**PURCHASE ORDER-INVOICE-VOUCHER**

DATE OF ORDER <b>5-Nov-05</b>		ORDER NO.  (b)(2)High	
PRINT NAME AND ADDRESS OF SELLER (Number, Street, City, and State)* (b)(6) <b>PAYEE Kirkuk, Iraq</b>			
FURNISH SUPPLIES OR SERVICES TO (Name and Address)* <b>Payment to (b)(6) for damage to the vehicle of her husband (b)(6) caused by coalition forces 31-Oct-05</b>			
SUPPLIES OR SERVICES		QUANTITY	UNIT PRICE
<b>Battle damage payment to wife</b>		<b>1</b>	<b>\$300</b>
			<b>\$300.00</b>
AGENCY NAME AND BILLING ADDRESS* <b>217th Finance Detachment 40th Finance Battalion Kirkuk, Iraq</b>		TOTAL <b>\$300.00</b>	
		DISCOUNT TERMS <b>0.00%</b> <b>0</b> DAYS	
		DATE INVOICE RECEIVED <b>4-Nov-05</b>	
ORDERED BY (Signature and Title) <b>CPT (b)(3)(b)(6) 2-327 PPO (b)(3)(b)(6)</b>			
PURPOSE AND ACCOUNTING DATA  (b)(2)High			
<i>BUYER - To sign below for over-the-counter delivery of items</i>			
RECEIVED BY <b>LT (b)(3)(b)(6) (b)(3)(b)(6)</b>			
TITLE <b>C Company Project Officer</b> <b>5-NOV-05</b>			
<b>SELLER - Please read instructions to the right of this electronic form</b>			
<input checked="" type="checkbox"/> PAYMENT RECEIVED <b>\$300.00</b>		<input checked="" type="checkbox"/> PAYMENT REQUESTED <b>\$300.00</b>	
<b>NO FURTHER INVOICE NEED BE SUBMITTED</b>			
SELLER BY  Foreign Language		DATE  <b>5-Nov-05</b>	
I certify that this account is correct and proper for payment in the amount of  <b>\$300.00</b>		DIFFERENCES <b>\$0.00</b> <b>\$0.00</b>	
<b>2LT (b)(3)(b)(6) Pay Ager (b)(3)(b)(6)</b> (Authorized certifying officer)		ACCOUNT VERIFIED: <b>\$300.00</b>	
		CORRECT FOR	
		BY	
PAID BY <input checked="" type="checkbox"/> CASH	DATE PAID <b>5-Nov-05</b>	VOUCHER NO. <b>CPFAAS63060015</b>	
OR  (check No.)			
* PLEASE INCLUDE ZIP CODE		STANDARD FORM 44A (Rev. 10-83) PRESCRIBED BY GSA FAR (48 CFR) 33.213 (c)	
1. SELLER'S INVOICE      3. RECEIVING REPORT			
2. SELLER'S COPY OF ORDER      4. MEMORANDUM COPY			
(See instructions to right of this electronic form)			

**OFFICE OF THE COALITION PROVISIONAL AUTHORITY**  
**(OCPA) PROJECT WORKSHEET**

**TYPE OF OPCA PROJECT:** Regional Level Quick Impact Fund

**MILITARY UNIT COORDINATING PROJECT:** HHC/2d Bn/1<sup>st</sup> BCT/101<sup>st</sup> Abn Div, Judge Advocate

**MILITARY UNIT CONTACT INFO FOR PROJECT**

**NAME:** CPT (b)(3)(b)(6)

**PHONE:** VOIP (b)(2)High

**NAME THE PROJECT:** Condolence Payment for damage to the vehicle of (b)(6)

**PROJECT LOCATION:** Kirkuk, Iraq

**PROJECT DESCRIPTION:** Ex Gratia Payment to (b)(6) for damage to the vehicle of her husband (b)(6)

**DESCRIBE DIRECT BENEFIT TO IRAQI POPULATION:** Condolence payments are cash payments to local nationals, or to their family members, who suffer death or injury or property damage caused by US forces in the performance of official duty. US forces make Condolence payments without reference to fault by either the local national or US forces, as an expression of sympathy and good will and in the best interest of the US Government.

**COST (U.S. Dollars) AND JUSTIFICATION:** \$300.00. (b)(6) car was fired upon by Coalition Forces, when he failed to stop as ordered; this resulted in damage to his vehicle.

**NAME AND POSITION OF IRAQI WHO WILL COMPLETED PROJECT (Responsible Iraqi):** ;  
Foreign Language

**ESTIMATED DAYS REQUIRED TO COMPLETE PROJECT:** 1

CENTCOM 002552

06-IO6-T-0317-00014

**ACCEPTANCE BY CLAIMANT**

(Note: This form should be not signed by the claimant if another release is signed by the claimant is attached.)

I, the claimant, do hereby accept the within stated award, compromise, or settlement as final and conclusive on my heirs, executors, administrators or assigns, and agree that said acceptance constitutes a complete release by me, my heirs, executors, administrators or assigns of any and all claims, demands, rights and causes of action of whatsoever kind and nature, arising now or in the future from, and by reason of any and all known and unknown, foreseen and unforeseen bodily and personal injuries (including wrongful death), damages to property, breaches of contract or law, and any other acts or omissions, and the consequences therefore resulting, and to result, from the same subject matter that gave rise to the claim for which I or my heirs, executors, administrators or assigns, and each of them, now have or may hereafter acquire against the United States and against the employee(s) of the Government whose acts or omissions gave rise to the claims by reason of the same subject matter. I further agree to reimburse, indemnify and hold harmless the United States, its agents, servants and employees from any and all claims or causes of action, including wrongful deaths, that arise or may arise from the acts or omissions that gave rise to the claim(s) by reason of the same subject matter.

Foreign Language

\_\_\_\_\_  
(Date) (Claimant Signature) \_\_\_\_\_

**AGENCY CERTIFYING OFFICER:**

Pursuant to authority vested in me, I certify that this payment is correct and property.

06/04/05 (Date) (b)(3)(b)(6) \_\_\_\_\_ ficer) CPT (Title)



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**HEADQUARTERS, 1<sup>ST</sup> BRIGADE COMBAT TEAM**  
**101ST AIRBORNE DIVISION (AIR ASSAULT)**  
**KIRKUK, IRAQ 09335**



AFZB-KA-CJA

15 November 2005

MEMORANDUM FOR COMMANDER, First Brigade Combat Team, 101<sup>st</sup> Airborne Division (Air Assault), FOB Warrior, Kirkuk, Iraq APO AE 09335.

SUBJECT: Legal Sufficiency of AR 15-6 Investigation, Shooting of (b)(6)

1. I find the investigation conducted by CPT (b)(3)(b)(6) legally sufficient.
2. CPT (b)(3)(b)(6) interviewed the pertinent parties, gathered the relevant facts, and made a supportable recommendation based upon those findings.
3. The proceedings complied with legal requirements. The findings were properly recorded on the DA Form 1574 and statements were taken on DA Forms 2823. In appropriate instances, DA Forms 3881 were used to notify the individuals interviewed of their rights.
4. The circumstances surrounding the escalation of force is addressed and the IO properly applied the law—namely the Rules of Engagement—to the facts.

(b)(5)

4. POC for this memo is MAJ (b)(3)(b)(6) at VOIP (b)(2)High DSN (b)(2)High or via e-mail at (b)(3)(b)(6) [@us.army.smil.mil](mailto:us.army.smil.mil).

(b)(3)(b)(6)

MAJ, JA  
Command Judge Advocate

CENTCOM 002554

06-IO6-T-0317-00016

### Findings

On 31 October 05, I was appointed as the AR 15-6 Investigating Officer responsible for investigating the circumstances surrounding the shooting of an Iraqi civilian on 31 October 05 in the city of Kirkuk by members of C Company, 2<sup>nd</sup> Battalion, 327<sup>th</sup> Infantry Regiment. I present these findings having interviewed the gunner who was directly responsible for the shooting, four soldiers from his platoon, and personally evaluating the incident site.

Prior to movement from FOB Warrior, SSG (b)(3)(b)(6) briefed the MNCI Rules of Engagement (ROE) to the convoy and 1LT (b)(3)(b)(6) briefed the standards for Escalation of Force required for the upcoming patrol. SSG (b)(3)(b)(6) briefed the ROE in accordance with CFLCC/ MNCI smart cards. Prior to moving out, the patrol received an intelligence report stating to be on the lookout for a possible Suicide Vehicle Borne Improvised Explosive Device (SVBIED) in the form of a dark blue Opel. The convoy planned to travel to K1, meet with their IA counterpart company, and the return to FOB Warrior.

Upon completion of the mission at K1, the Charlie Company convoy began its movement back to FOB warrior at approximately 1645 traveling south along (b)(2)High (b)(2)High. The illumination was natural, given that there were no streetlights in the area. The vehicle in question, Bumper Number C14, was occupied with a crew from vehicle C16. Their vehicle was hit the previous day by an IED. It was the lead vehicle in the convoy. The crew of C16 consisted of the driver, SGT (b)(3)(b)(6) the TC, 1LT (b)(3)(b)(6), the gunner, SPC (b)(3)(b)(6) the Platoon RTO, PFC (b)(3)(b)(6) and their interpreter, (b)(3)(b)(6).

During movement the convoy experienced some traffic vicinity of (b)(2)High. At this time responded in accordance with one of their established TTPs by slowing down, flashing their lights and honking their horn. Both the driver and gunner motioned for the vehicles to pull off to the sides of the road. The local vehicles adhered, and began to pull off onto the shoulders of the two lane road. The shoulders of the road are at least one vehicle wide, allowing for more than enough room for traffic to shift over.

Most of the vehicles in the oncoming lane pulled off on to the shoulder of the road. If they did not pull completely onto the shoulder, they at least stopped moving and turned on their blinkers. As vehicles were pulling off the road SGT (b)(3)(b)(6) 1LT (b)(3)(b)(6) and SPC (b)(3)(b)(6) all observed a car attempting to bypass the others. While the bypassing car was four to five vehicles ahead of C16, they noticed that it was a dark colored Opel similar to the description given during the morning's intelligence report. At the same time, another white vehicle swerved back onto the road and attempted to continue driving. SPC (b)(3)(b)(6) and SGT (b)(3)(b)(6) again signaled for these vehicles to pull off the road. SPC (b)(3)(b)(6), while standing up in the turret, signaled for both vehicles to pull over using a chem light that he was waving and by shouting at the vehicle. The white vehicle adhered and pulled back of the road in front of the dark Opel, but the dark Opel never pulled off. Rather he continued towards C16 in what appeared to be a collision course. None of the C16 crew members were able to see any of the occupants of the oncoming

vehicle. As the Opel continued on towards him, SPC (b)(3)(b)(6) continued to yell and then threw his chem light in the direction of the vehicle's path. The Opel continued towards C16 and it was at this time that SPC (b)(3)(b)(6) charged his weapon and oriented at the vehicles hood. The Opel still did not change its course and appeared to be accelerating. The vehicle continued closer and closer until finally SPC (b)(3)(b)(6) decided that the vehicle appeared to be getting too close and did not think it was going to stop. Though he had an (b)(2)High as an alternate weapon, did not use it. Instead, at approximately (b)(2)High away SPC (b)(3)(b)(6) fired a single round from his (b)(2)High at the dark Opel. It impacted high on the driver's side windshield and hit the driver in his right shoulder. Although 1LT (b)(3)(b)(6) had been communicating with the driver to continue to flash his lights and honk his horn and pull off to the side of the road, he never gave any command to the gunner regarding engaging the vehicle.

The drivers name was (b)(6) the other occupants of the car were his wife and two children. After engaging, C16 continued down the road for approximately two hundred meters when 1LT (b)(3)(b)(6) called over his Icom radio to tell the convoy that they were turning around. When the HMMWV reached the now disabled vehicle, (b)(6) had already been taken out of the vehicle and moved approximately 20 meters away. Mr. (b)(6) was then taken to about 15m off the road to the 1/C/2-327 IN medic, PFC (b)(3)(b)(6) who administered First Aid. The bleeding was stopped, and at this time Mr. (b)(6) still had a pulse. He was then placed into a white civilian vehicle and was taken to Kirkuk General Hospital. At approximately 1925, the 2-327<sup>th</sup> IN CP received notice from CPT (b)(3)(b)(6) that Mr. (b)(6) had died as a result of his wounds.

CENTCOM 002556

06-IO6-T-0317-00018

Recommendations

Given all of the information that I have attained since my investigation of the circumstances surrounding the shooting of an Iraqi civilian in the city of Kirkuk by the members of C Company, 2<sup>nd</sup> Battalion, 327<sup>th</sup> Infantry Regiment, I make the following recommendations.

(b)(3)(b)(6)

(b)(6)

(b)(3)(b)(6)

(b)(3)(b)(6)

(b)(5), (b)(2)High

Pages 20 through 21 redacted for the following reasons:

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Foreign Language Text, (b)(6)

witness statement

Foreign Language

Name/1

(b)(6)

Foreign Language

Foreign Language

I was with my daughters  
— hashem in his vehicle (Type  
Opel). We were going from Kirkuk  
to our village Komala. When we  
reach the (AMAL AL-SHABI) sector,  
CFS came next to us. They shot me in  
left arm and killed the driver.

(b)(3),(b)(6)

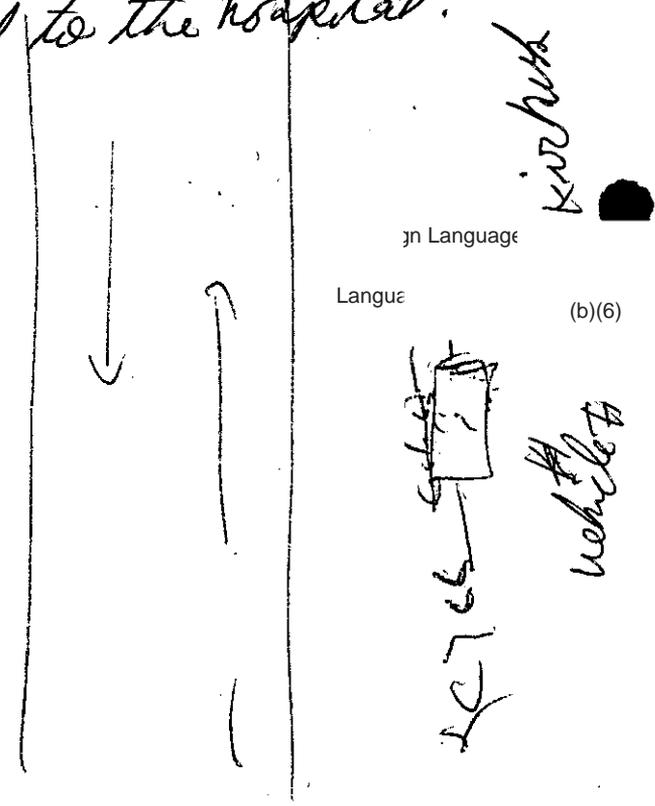
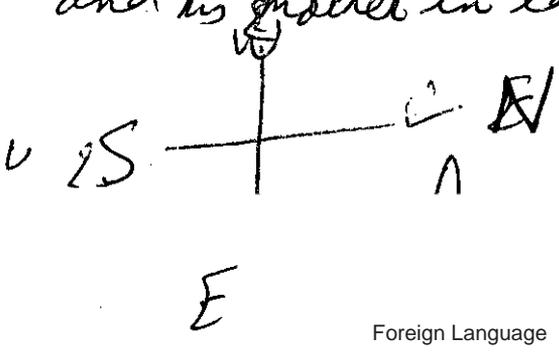
CENTCOM 002560

06-IO6-T-0317-00022

Diagram

(b)(9)

- ① Location 1 Km away from our police near
- ② The accident was that the CF's shot a vehicle # (b)(6) Kirsh
- (Type, Opel Vectra), driven by the victim (b)(6)
- and injured in his chest & ~~left~~ right shoulder, (b)(6)
- caused him to pass away. His kids (b)(6)
- and his mother in law admitted to the hospital.



Foreign Language

CENTCOM

Page 24 redacted for the following reason:

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Foreign Language Text, (b)(6)

Foreign Language

Foreign Language

Quria police stat  
#375  
Date 7th Nov. 05

Foreign Language

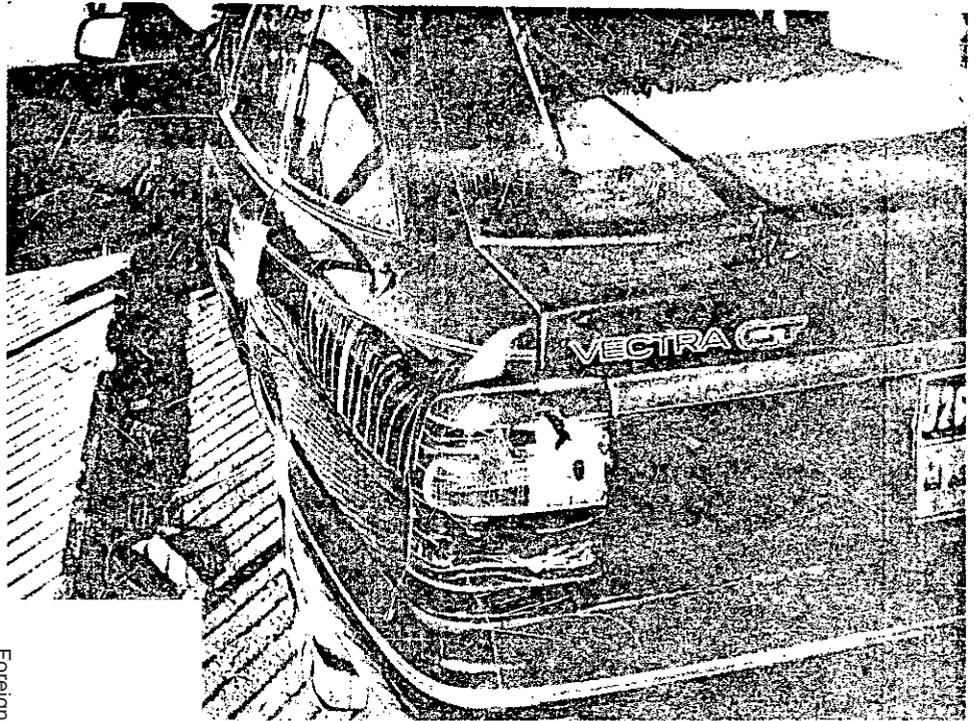
Foreign Language

To Main Police  
sub. / Accident

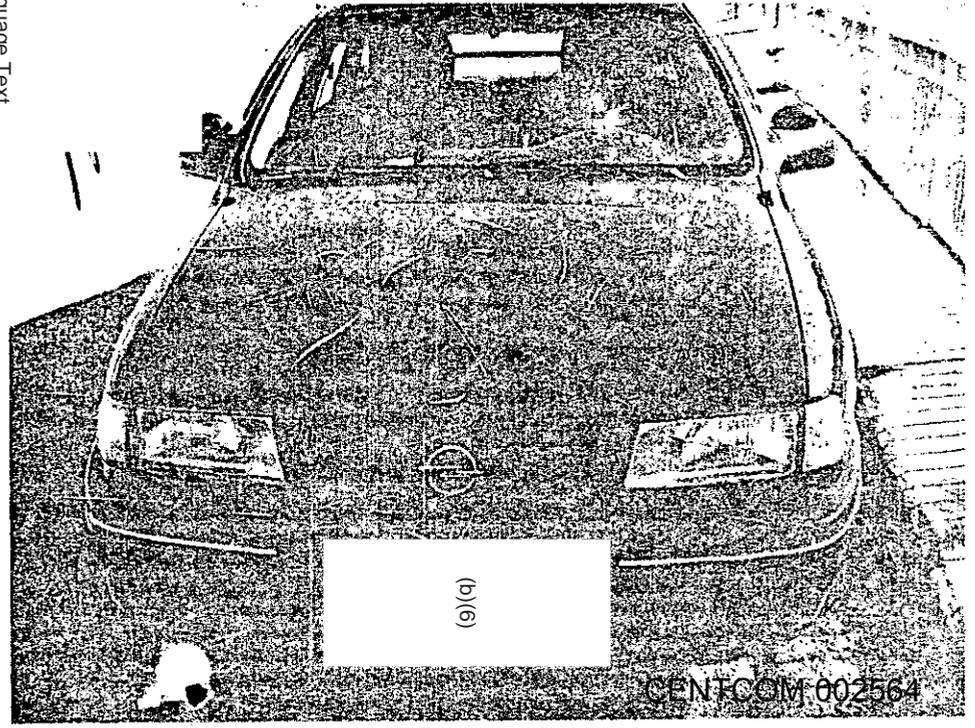
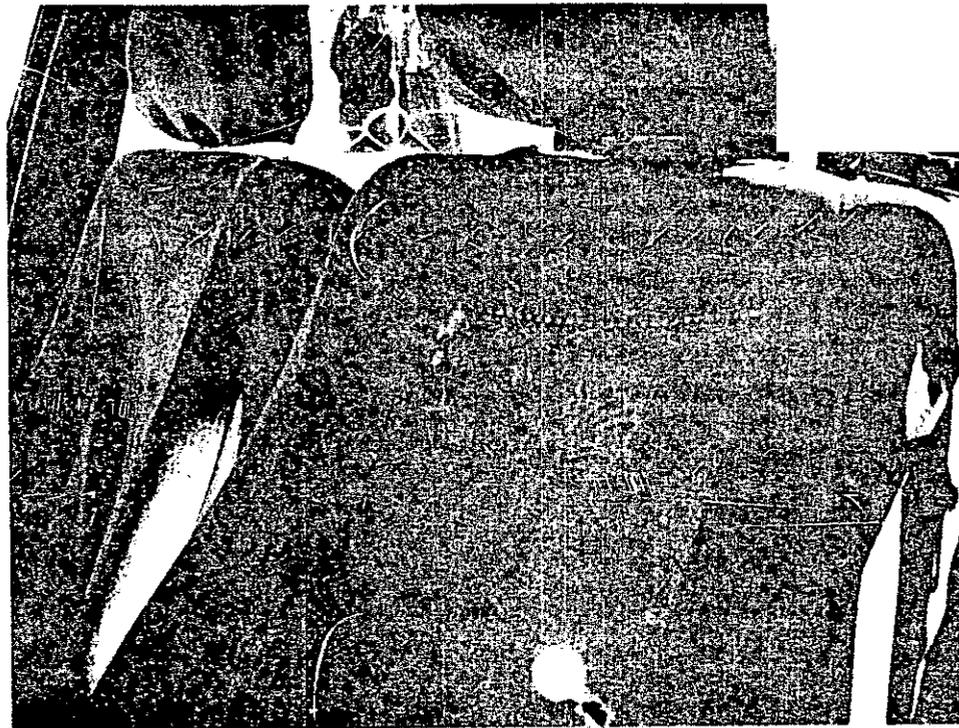
Foreign Language

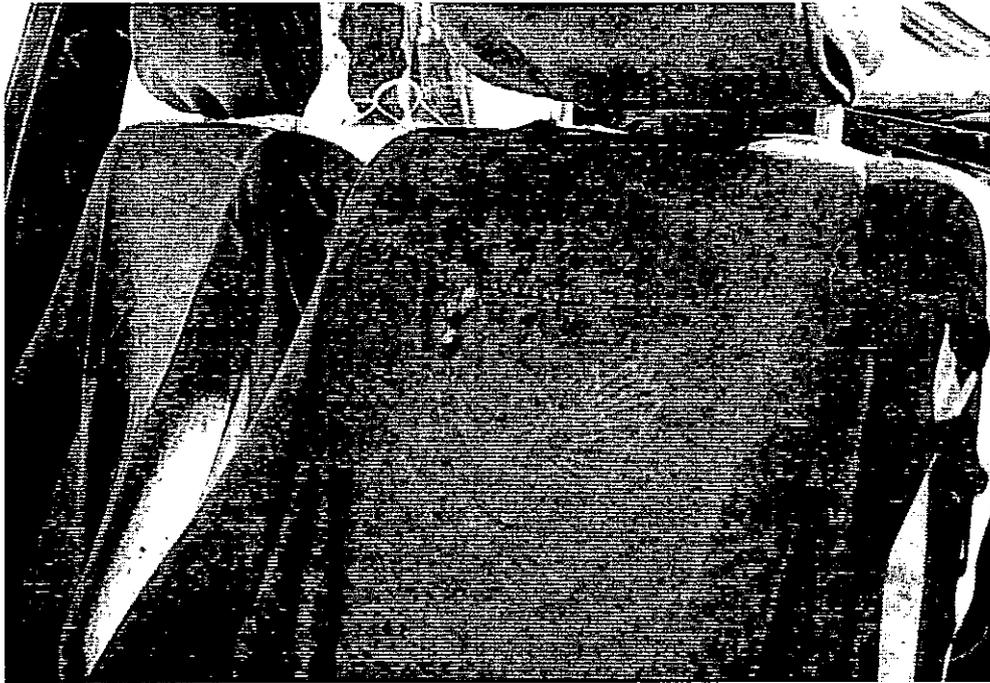
At 17:15 on 31<sup>st</sup> Oct. 05, we have been informed about 2 injuries in Kerkub main hospital. We send investigation officers to write down their statement, we found that the accident was that the CF's shot a local vehicle ( (b)(6) Kerkub), Type Opel Vectra. Next to the X-military camp and on the main road. They were transferred to the hospital. The driver was passed away so we couldn't take his statement. We took the statement of the injured (b)(6) years old (victim's wife), and (b)(6) 50 years old (victim's mother). The body was send to legal investigation and paper work send to investigation judge.

101 CENTCOM 002563



Foreign Language Text





ID card

(b)(6)

Date of issue 6<sup>th</sup> Nov 02

Foreign Language, (b)(6)

CENTCOM 002566

06-IO6-T-0317-00028

Foreign Language Text, (b)(6)

CENTCOM 002567

06-106-T-0317-00029

10 Card

(b)(6)

Date of issue  
18<sup>th</sup> Jan 04

The wife of the  
dead man

Foreign Language

CENTCOM 002568

06-IO6-T-0317-00030

Foreign Language Text, (b)(6)

CENTCOM 002569

06-IO6-T-0317-00031

Page 32 redacted for the following reason:

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Foreign Language Text

CENTCOM 002571

06-106-T-0317-00033

Page 34 redacted for the following reason:

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Foreign Language Text, (b)(6)

Foreign Language Text

Foreign Language Text

CENTCOM 002573

06-106-T-0317-00035

Page 36 redacted for the following reason:

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Foreign Language Text, (b)(6)

① (b)(6) left shoulder &  
arm injured (The mother in  
law)

② (b)(6) injury  
in left arm (kid)

③ (b)(6) kid  
injury on right eye left  
eye.

CENTCOM 002575

06-IO6-T-0317-00037

Foreign Language Text

Death Document

Foreign Language Text

Foreign Language Text

Foreign Language Text, (b)(6)

CENTCOM 002577  
06-IO6-T-0317-00039