

SWORN STATEMENT

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

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 identified.
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: FOB LIBERTY
2. DATE (YYYYMMDD): 2007/07/18
3. TIME: 0830
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS: 1LT/O-2

8. ORGANIZATION OR ADDRESS: HHC, 2-12 CAV, 2-1 ID

9. I, 1LT, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Non-Responsive, (b)(2)High

(b)(2)High was positioned directly next to (b)(2)High at (b)(2)High I was on the drivers side of the vehicle using the truck radios as my command post. The gunner from (b)(2)High yelled that there was a vehicle approaching from the west. The gunner or (b)(2)High gave verbal orders to stop, along with hand and arm signals for the vehicle to stop. I looked through the window of the (b)(2)High and observed the gunner shine his green laser at the driver. The vehicle continued. The gunner fired (b)(2)High at the vehicle striking it in the windshield three times, the vehicle still did not stop. The gunner fired three warning shots into the ground in front of the vehicle and again the vehicle did not stop. At that point the vehicle was engaged with (b)(2)High. When the gunner of (b)(2)High began firing, the MP truck next to us also engaged the vehicle with 50 cal. The vehicle was finally dissabled, and everyone ceased fire. The vehicle began smoking immediately. I called the incident up to (b)(2)High and when I looked back the vehicle was on fire. While the vehicle burned, we could hear ammunition cooking off from the vehicle.

The Iraqi army showed up with the Iraqi fire department to put out the vehicle fire. Once the (b)(2)High was hit by the EFP was recovered, we moved off of the objective and proceeded back to FOB Liberty.

*****NOTHING FOLLOWS*****

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

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(3), (b)(6)
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING 'STATEMENT OF _____ 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.

9. STATEMENT (Continued)

Follows

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

Nothing

AFFIDAVIT

I, 1LT (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

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

(making Statement)

WITNESSES:

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

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of JULY, 2007 at FOB LIBERTY

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

CPT AR
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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1. LOCATION FOB LIBERTY	2. DATE (YYYYMMDD) 2007/07/19	3. TIME 1300	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)			7. GRADE/STATUS SFC/E-7

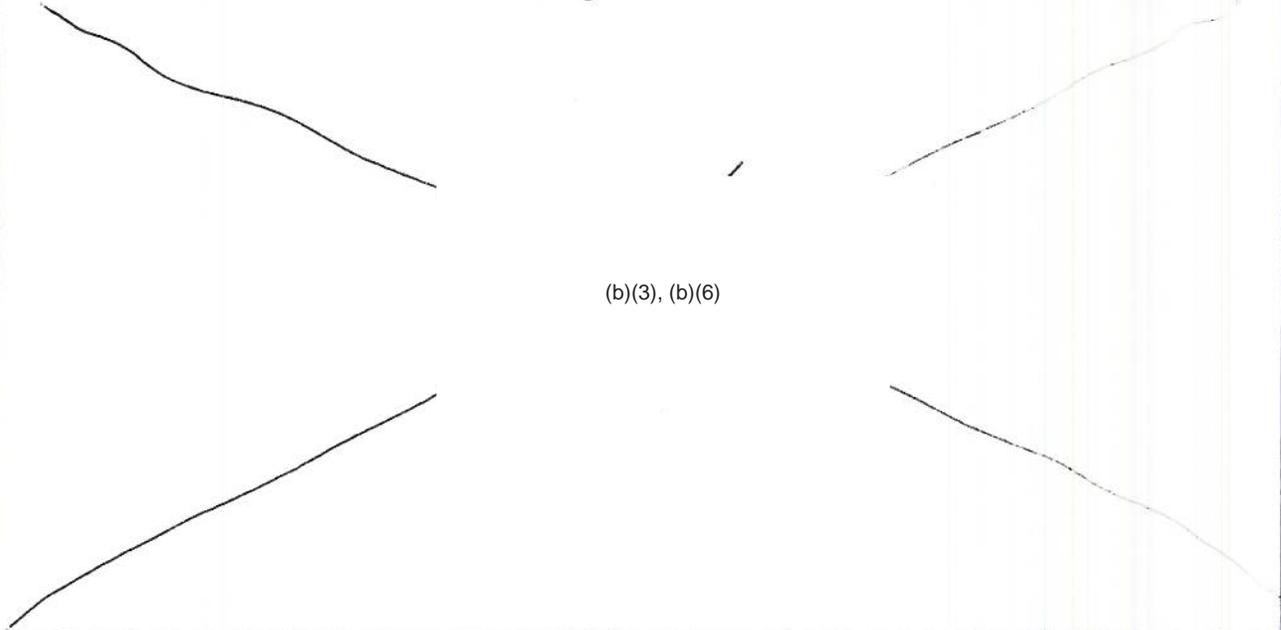
8. ORGANIZATION OR ADDRESS
HHC 2-12 CAV

9. I, (b)(3), (b)(6) _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Non-Responsive, (b)(2)High

I was located in a dismounted OP right beside the blast site of the EFP. At around 1425 is when I heard the Gunner of (b)(2)High (PFC)(3), (b)(start verbally instructing a vehicle to stop. When I looked at the gunners position of that vehicle I saw PFC)(3), (b)(t outside of my (b)(2)High using (b)(2)High in an attempt to get the vehicle to stop that was approaching his vehicle. As I continued to watch PFC)(3), (b)(go through his door steps, he started using (b)(2)High while he continued to us (b)(2)High (b)(2)High to stop the approaching vehicle. After doing this for 2-3 seconds he went to using t (b)(2)High I saw him fire around 3-4 round of paint from the gun. I could not see where the rounds impacted from my position. After the car continued to move east towards the (b)(2)High vehicle PFC)(3), (b)(fired warning shots in the area of the vehicle. From my location I could not see the impact of these rounds. PFC Beagle fired around 3-4 warning shots of (b)(2)High No more than 5-6 seconds later PFC)(3), (b)(started engaging the vehicle with is)(2)High One of the MP M1114 also fired hi (b)(2)High it the vehicle. The gunners kept engaging until the Platoon Leader give them the order to cease fire. After the vehicles ceased fired I moved out of my OP position and seen one civilian vehicle on fire.

*****Nothing Follows*****



10. EXHIBIT	11. INITIAL: (b)(3), (b)(6)	12. STATEMENT	PAGE 1 OF 0 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

STATEMENT OF

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

TAKEN AT FOB LIBERTY

DATED 2007/07/19

9. STATEMENT (Continued)

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

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

SAC (b)(3), (b)(6)
 (b)(3), (b)(6)
HHC 212 CAV
 ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of JULY, 2007 at FOB Liberty

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

(Signature of Person Administering Oath)

(b)(3), (b)(6)
HHC 2-12 CAV
 ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

Art 136 UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON M

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

PAGE 2 OF 0 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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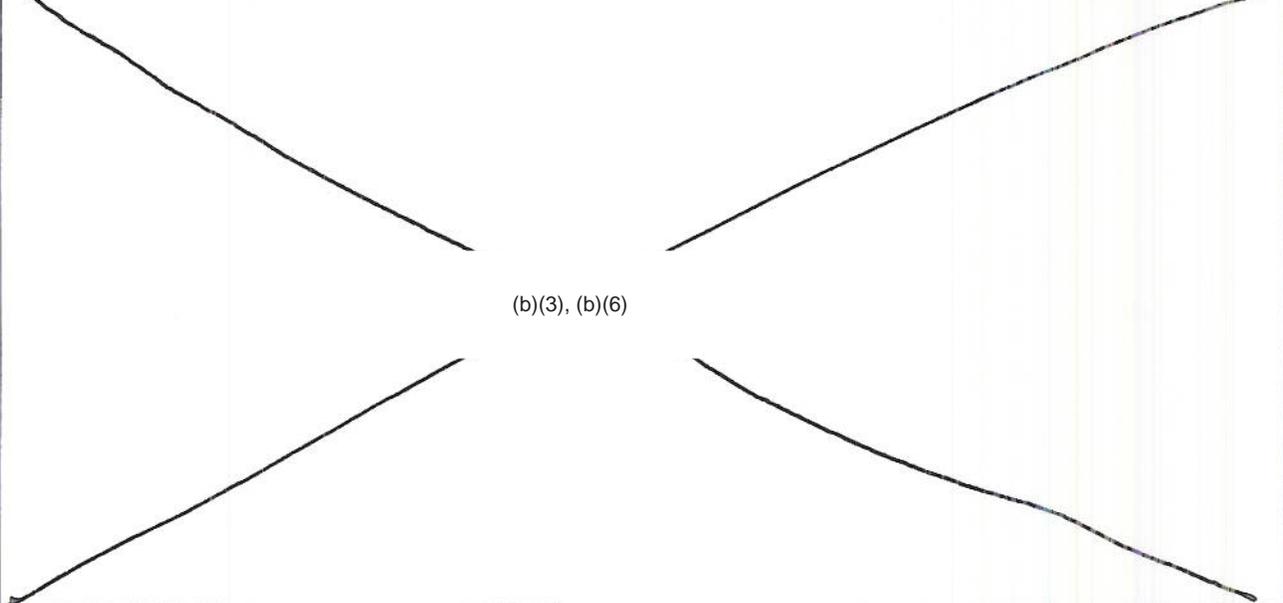
1. LOCATION FOB LIBERTY	2. DATE (YYYYMMDD) 2007/07/19	3. TIME 1100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)		6. SSN	7. GRADE/STATUS E-5/SGT
8. ORGANIZATION OR ADDRESS HHC 2-12 CAV			

9. I, (b)(3), (b)(6) _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Non-Responsive, (b)(2)High

I was listening to and taking information from the radios, because our Platoon Leader and me were using vehicle (b)(2)High as his command post for all elements on scene. The gunner (PFC)(3), (b)(1) yelled that there was a vehicle approaching from the west. He started using (b)(2)High for the approaching vehicle to stop, but it continued to moved. At this I looked thru the window, and saw the gunner start (b)(2)High at the vehicle while still shouting and (b)(2)High signals to stop, but the vehicle continue its approach towards the vehicle that the PLT Leader and me were (b)(2)High the gunner then started to fire his (b)(2)High (b)(2)High and struck the windshield of the vehicle three times on the driver side. The continued its move towards our (b)(2)High the gunner fired warning shots with the (b)(2)High three times into the ground next to the approaching vehicle, but the vehicle did not stop. At this time the gunner opened fire on the vehicle. As soon as the gunner opened fire the MP truck next to us also began firing its (b)(2)High (2)High at the vehicle. Both gunners ceased fired after Platoon Leader announced cease fire and the vehicle was disabled The vehicle started smoking and caught fire immediately and no one exited the vehicle. Later the Iraqi Army showed up with a fire truck and put out fire in the vehicle. At that point my PLT Leader received the call that the (b)(2)High that was hit by the ep was recover and we proceed back to fob liberty.

*****NOTHING FOLLOWS*****



10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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9. STATEMENT (Continued)

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(3), (b)(6)
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of July, 2007 at FOB Liberty

SFC (b)(3), (b)(6)
— (b)(3)(b)(6)
HHC 2-12 CAV
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
(Signature of Person Administering Oath)

SFC (b)(3), (b)(6)
— (b)(3), (b)(6)
HHC 2-12 CAV
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)
Art 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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1. LOCATION FOB LIBERTY	2. DATE (YYYYMMDD) 2007/07/19	3. TIME 1050	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)			6. GRADE/STATUS PFC/E-3

8. ORGANIZATION OR ADDRESS
HHC 2-12 CAV

9. I, (b)(3), (b)(6) _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Non-Responsive, (b)(2)High

(b)(2)High was positioned right next to the blast site. I was scanning to the west when I observed a car speeding toward our position directly after receiving audible contact from the west. I immediately yelled to the driver (b)(2)High Pfc) (3), (b)(6) (and Lt (3), (b)(6) that there was a vehicle coming and coming fast. I immediately issued verbal orders along with hand and arm signals towards the vehicle telling it to stop. The vehicle did not slow down so I used the green laser attached to the (b)(2)High. The vehicle did not slow down or attempt to stop. I then fired (b)(2)High into the windshield of the car. The vehicle continued its speed and I then fired three warning shots with the (b)(2)High at the ground and the wall (b)(2)High in front of the vehicle. The vehicle did not stop. Due to the earlier EFP and the contact from the west I felt physically threatened so I engaged the vehicle with (b)(2)High until Lt (3), (b)(6) gave the order to cease fire. The vehicle started smoking and caught fire immediately and no one exited the vehicle. I yelled to Lt (3), (b)(6) that was standing on the driver's side, the BDA. I then started hearing some rounds cook off in the vehicle. The Iraqi Army then showed up with a fire truck and put the vehicle out. By this time the recovery assets recovered the (b)(2)High and we continued movement to FOB Liberty.

*****NOTHING FOLLOWS*****

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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STATEMENT OF

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

TAKEN AT FOB LIBERTY

DATED 2007/07/19

9. STATEMENT (Continued)

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

AFFIDAVIT

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

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of JUL, 2007 at FOB Liberty

SFC

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

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

(Signature of Person Administering Oath)

HHC 2-12 CAV
ORGANIZATION OR ADDRESS

SGT

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

(Typed name of Person Administering Oath)

(b)(3), (b)(6)
HHC 2-12 CAV
ORGANIZATION OR ADDRESS

Act 136 UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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5. LAST NAME. FIRST NAME. MIDDLE NAME (b)(3), (b)(6)		6. SSN	7. GRADE/STATUS PFC/E-3

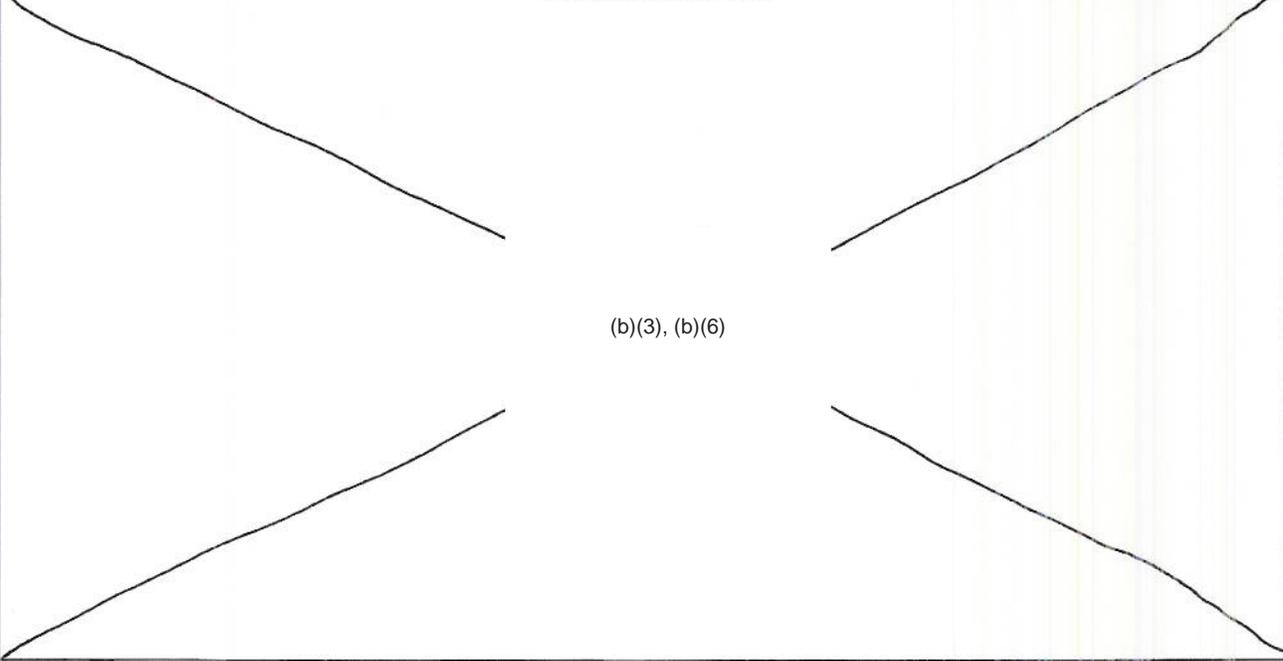
8. ORGANIZATION OR ADDRESS
HHC 2-12 CAV

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Non-Responsive, (b)(2)High

I was listening to and taking information from the radios, because our Platoon Leader was using my vehicle as his command post for all elements on scene. The gunner (PFC)(3), (b)(6) yelled that there was a vehicle approaching from the west. He started using verbal and hand signals for the approaching vehicle to stop, but it continued to approach. At this I looked up through the gunners hatch from my drivers seat, and saw my gunner start shining his green laser at the vehicle while still shouting and giving hand signals to stop, but the vehicle continue its approach towards my (b)(2)High the gunner then started to fire (b)(2)High and struck the windshield of the vehicle three times on the windshield of the vehicle. The continued its move towards my (b)(2)High the gunner fired warning shots with the (b)(2)High into the ground next to the approaching vehicle, but the vehicle still continued his move towards my location. At this time the gunner opened fire on the vehicle. As soon as my gunner opened fire the MP truck next to us also began firing its (b)(2)High at the vehicle. Both gunners ceased fired after Platoon Leader announced cease fire. The vehicle started smoking and caught fire immediately and no one exited the vehicle. a few minutes later the IA showed up with a fire truck and put out fire in the vehicle

*****NOTHING FOLLOWS*****



10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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STATEMENT OF

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

TAKEN AT FOB LIBERTY

DATED 2007/07/19

9. STATEMENT (Continued)

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

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of JULY, 2007 at FOB Liberty

S LT

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

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

HHC 2-12 CAU
ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

SFC

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

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

HHC 2-12 CAU
ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

Art 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

Pages 11 through 13 redacted for the following reasons:

Nonresponsive, (b)(2)High

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

UNCLASSIFIED

UNCLASSIFIED

Pages 15 through 16 redacted for the following reasons:

Non-Responsive, (b)(2)High