

9. STATEMENT (Continued)

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.

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

A CO 1-26 IN
CAMP TAJI
APO AE 09033
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

CP1 (b)(3)(b)(6) Oath

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

Ex E

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 OLD MOD	2. DATE (YYYYMMDD) 2007/03/02	3. TIME 1308HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)		6. SSN (b)(3)(b)(6)	7. GRADE/STATUS SPC

ADDRESS
A COMPANY, I-26 IN (MECH)

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

1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO.

2. HAVE YOU WITNESSED ANY OF YOUR SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. NO.

3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU?
3A. YES.

4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR?
4A. NO.

not responsive, (b)(3)(b)(6)

9. TO YOUR KNOWLEDGE HAVE ANY OF THE PATROL DEBRIEFS THAT HAVE BEEN SUBMITTED BY THE PLATOON WERE FALSIFIED?
9A. NOT THAT I AM AWARE OF.

10. EXHIBIT K	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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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.

E2 F

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

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

TAKEN AT

OLD MOD

DATED 2007/03/02

9. STATEMENT (Continued)

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

11. ON THE 1ST OF JANUARY, THE PLT RESPONDED TO GUNFIRE FROM (b)(2)High AND BECAME ENGAGED BY AIF INSURGENTS. DID I (b)(3)(b)(6) AT ANY TIME GET OUT OF HIS VEHICLE AND ENGAGE THE ENEMY?

11A. NO.

12. DID YOU RECORD THE ENGAGEMENT OF THE 1ST OF JANUARY ON YOUR PERSONNEL CAMCORDER?

12A. YES. BUT, WHEN WE GOT BACK TO CAMP TAJI I WAS GIVEN VERY LITTLE TIME TO PREPARE MYSELF TO GO ON R&R SO I MISTAKENLY LEFT MY CAMERA IN MY ROOM. WHEN I GOT BACK FROM R&R, I FOUND MY 1GB MEMORY STICK FROM MY CAMERA WAS MISSING AND MY ROOMMATE SAID NO ONE WAS IN THE ROOM AS FAR AS HE KNEW.

13. AFTER THE ENGAGEMENT, DID ANYONE ORDER YOU TO ERASE WHAT YOU HAD TAPED?

13A. YES, SGT (b)(3)(b)(6) TOLD ME THAT I (b)(3)(b)(6) ORDERED HIM TO MAKE SURE THAT I DELETED THE VIDEO. BUT HE TOLD ME THAT IT WAS MY OWN CHOICE WETHER I DELETE IT OR NOT.

14. WHY DO YOU THINK I (b)(3)(b)(6) ORDERED SGT (b)(3)(b)(6) TO TELL YOU TO ERASE THE VIDEO?

14A. I GUESS BECAUSE HE THINKS THAT SOMETHING HAPPENED THAT COULD GET HIM IN TROUBLE. I DON'T REALLY KNOW.

15. WHAT WAS ON THE RECORDING THAT YOU TOOK?

15A. MY PLATOON DRIVING DOWN THE STREET, AND THE (b)(2)High ENGAGING SOMETHING WITH (b)(2)High AS WELL AS THE COAX.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

PAGE

(b)(2)High

10 (b)(3)(b)(6) APP PE v1.01

CENTCOM 011948

Ex F

9. STATEMENT (Continued)

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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

A CO 1-26 IN

CAMP TAJI

APO AE 09033

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

PAGE

(b)(2)High

APD PE v1 01

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

CENTCOM 011949

Ex F

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 (SSM).
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 OLD MOD	2. DATE (YYYYMMDD) 2007/03/01	3. TIME 2120HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS PFC	

8. ORGANIZATION OR ADDRESS
A COMPANY, 1-26 IN (MECH)

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

1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO.
2. HAVE YOU WITNESSED ANY SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. NO.
3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU?
3A. ROGER. YES.
4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR?
4A. NO.

not responsive, (b)(3)(b)(6)

8. TO YOUR KNOWLEDGE HAVE ANY OF THE PATROL DEBRIEFS THAT HAVE BEEN SUBMITTED BY THE PLATOON WERE FALSIFIED?
8A. NO.

not responsive, (b)(3)(b)(6)

10. EXHIBIT L	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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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.

Ex G

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3)(b)(6) TAKEN AT OLD MOD DATED 2007/03/01

9. STATEMENT (Continued)

not responsive, doesn't relate the EOF incident, (b)(3)(b)(6)

11. ON THE 1ST OF JANUARY, THE PLT RESPONDED TO GUNFIRE FROM (b)(2)High AND BECAME ENGAGED BY AIF INSURGENTS. DID YOU WITNESS LT (b)(3)(b)(6) GET OUT OF HIS VEHICLE AND ENGAGE A VEHICLE FROM APPROXIMATELY 2)PM WITHOUT PID OR ESCALATION OF FORCE MEASURES BEING USED?

11A. THAT NIGHT, 2 (b)(2)High WERE TAKEN OUT, A26 AND A25. I WAS IN A124, THE GUNNER FOR SGT (3)(b)(6) WE INVESTIGATED SAF CLOSE TO WHERE WE WERE OPERATING, AND SAW AN IP CHECKPOINT TAKING SAF. LT (b)(3)(b)(6) DID NOT GET OUT OF HIS (b)(2)High THE FIREFIGHT SLOWED DOWN, BUT DIDN'T STOP ALL TOGETHER. WHEN WE HAD NOT FIRED FOR A SHORT PERIOD, A PICKUP TRUCK WHICH WAS TRAVELING SOUTH IN THE SOUTH-BOUND LANE DOWN THE RTE WE WERE TAKING FIRE ON. WHEN THE DRIVER DIDN'T RESPOND TO THE WARNING SHOT, THEY DID ENGAGE THE VEHICLE, KILLING THE DRIVER. SHORTLY AFTER THE SAF STOPPED, NEAR A BUILDING IN THE VICINITY OF WHERE WE WERE TAKING FIRE FROM. 3 OR 4 PEOPLE RAN ACROSS THE STREET INTO THE BUILDING. SINCE WE HAD JUST TAKEN FIRE FROM THAT VICINITY, WE ENGAGED THE PERSONNEL. I'M NOT SURE HOW MANY WERE TAKEN DOWN.

12. HOW DO YOU KNOW THAT THE GUY IN THE PICK-UP TRUCK HAD BEEN KILLED?

12A. THE (b)(2)High LOOKED THROUGH THE ISU AND HAD COMMENTED ON HOW HIS HEAD HIT THE WINDSHIELD AFTER HE WAS SHOT. WE DIDN'T KNOW IF IT WAS A VBIED OR NOT, AND NOBODY HAD THE BALLS TO GO CHECK IT OUT.

13. DO YOU KNOW IF ANYONE MADE A VIDEO TAPE OF THE ACTIONS THAT HAPPENED ON THE 1ST OF JANUARY?

13A. NO.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

PAGE 2

(b)(2)High

APD PE v1 01

10 (b)(3)(b)(6) CENT

951

Ex 6

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 OLD MOD	2. DATE (YYYYMMDD) 2007/03/02	3. TIME 1600HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS PFC	

8. ORGANIZATION OR ADDRESS
A COMPANY, 1-26 IN (MECH)

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

1. HAVE YOU DONE ANYTHING THAT YOU THINK IS ILLEGAL IN SECTOR?
1A. NO.

2. HAVE YOU WITNESSED ANY OF YOUR SOLDIERS DO ANYTHING ILLEGAL IN SECTOR?
2A. NO.

3. DO YOU UNDERSTAND THE RULES OF ENGAGEMENT, ESCALATION OF FORCE AND LAW OF ARMED CONFLICT THAT HAS BEEN BRIEFED TO YOU?
3A. YES.

4. HAVE YOU EVER VIOLATED ROE, EOF, AND LOAC WHILE IN SECTOR?
4A. NO.

not responsive, (b)(3)(b)(6)

8. TO YOUR KNOWLEDGE HAVE ANY OF THE PATROL DEBRIEFS THAT HAVE BEEN SUBMITTED BY THE PLATOON WERE FALSIFIED?
8A. NO.

not responsive, (b)(3)(b)(6)

10. EXHIBIT M	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
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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

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

TAKEN AT OLD MOD

DATED 2007/03/02

9. STATEMENT (Continued)

not responsive, (b)(3)(b)(6)

11. ON THE 1ST OF JANUARY, THE PLT RESPONDED TO GUNFIRE FROM (b)(2)High AND BECAME ENGAGED BY AIF INSURGENTS. DID YOU WITNESS I.T (b)(3)(b)(6) GET OUT OF HIS VEHICLE AND ENGAGE A VEHICLE FROM APPROXIMATELY (b)(2)High WITHOUT PID OR ESCALATION OF FORCE MEASURES BEING USED?

11A. NO. WE HEARD GUN FIRE FROM ABOUT (b)(2)High OUT WE WAITED FOR LITTLE BIT HEARING IT GET WORSE THEN WE MOUNTED UP AND WENT TO GO INVESTIGATE WHAT WAS GOING ON. WHEN WE ARRIVED WE RECIVED STARTED TO GET CONTACT FROM A SQUAD SIZE ELEMENT AND WERE TOLD BY IPS AT THE SCEN THAT THERE WAS A SNIPEK. WE RETURNED FIRE AND MONUVERED UP THE STREET ENGAGING THE ENEMY WE ALSO DISMOUNTED AND BONDED DOWN A FIELD TO SECURE THE AREA THEN REGROUPED ON THE STREET. THERE WAS A CAR ABOUT (b)(2)High OUT THAT WAS APPROCHING AT A STEADY SPEED I HEARD A (b)(2)High THEN HEARD ON THE NET THAT THE VEHICAL WAS DOWN. AFTER THAT WE RETURNED TO THE CORDON AND KNOCKS WE WERE DOING BEFORE.

12. DO YOU KNOW WHAT HAPPENED TO THE OCCUPANT OF THE VEHICLE THAT WAS ENGAGED?

12A. NOT UNTILL WE RETURNED BACK TO THE FOB. I WAS GUNNING ON 125 MY TC WAS SGT (b)(3)(b)(6) WE WERE POSITIONED BEHIND A25 DURIN G MOST OF THE ENGAGMENT

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

PAGE 2

(b)(2)High

10 (b)(3)(b)(6) APP PE v1.01

CENTCOM 011953

Ex #

STATEMENT OF

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

TAKEN AT OLD MOD

DATED 2007/03/02

9. STATEMENT (Continued)

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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

A CO 1-26 IN

CAMP TAJI

APO AE 09033

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

PAGE:

(b)(2)High

APD PE v1.01

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

CENT

54

Ex H

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	2. DATE (YYYYMMDD) 8 Apr 07	3. TIME 1100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS SGT	

8. ORGANIZATION OR ADDRESS
A COMPANY, 1-26 IN (MECH)

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

ON THE 1ST OF JANUARY, THE PLT RESPONDED TO GUNFIRE FROM (b)(2)High AND BECAME ENGAGED BY AIF INSURGENTS. THE FOLLOWING QUESTIONS SPECIFICALLY ASK YOU TO REMEMBER THE EVENTS INVOLVING YOU TARGETING A VEHICLE.

1. (MAJ (b)(3)(b)(6)) DID YOU EVER VOCALLY STATE THAT YOU HAD ACQUIRED A TARGET BEFORE ENGAGING THE VEHICLE. IF SO, DID ILT (b)(3)(b)(6) AT ANY TIME GIVE YOU AN ORDER TO ENGAGE THE EMEMY? WHAT WAS YOUR DESCRIPTION OF THE VEHICLE? *NO*

1A (SGT (b)(3)(b)(6)) *NO / NO / I never described the vehicle*

2. (MAJ (b)(3)(b)(6)) DID ILT (b)(3)(b)(6) AT ANY TIME GIVE YOU AN ORDER TO STOP ENGAGING THE EMEMY ONCE YOU STARTED FIRING?

2A. (SGT (b)(3)(b)(6)) *NO*

3. (MAJ (b)(3)(b)(6)) DID ILT (b)(3)(b)(6) AT ANY TIME ASK YOU WHAT YOU WERE FIRING AT AND WHY?

3A. (SGT (b)(3)(b)(6)) *NO*

4. (MAJ (b)(3)(b)(6)) IN YOUR PREVIOUS SWORN STATEMENT YOU STATE THAT THE DRIVER EXITED THE VEHICLE QUICK AND YOU FELT HE WAS OFFENSIVE TO YOU, WHAT GAVE YOU THAT IMPRESSION? WAS THE DRIVER CARRYING A WEAPON?

4A. (SGT (b)(3)(b)(6))

5. (MAJ (b)(3)(b)(6)) HOW FAR AWAY FROM THE VEHICLE DID THE DRIVER GET BEFORE YOU ENGAGED HIM AGAIN?

5A. (SGT (b)(3)(b)(6)) *Right outside the door*

6. (MAJ (b)(3)(b)(6)) WHY DO YOU THINK OTHERS PRESENT WOULD CLAIM IN THEIR SWORN STATEMENT THAT THEY NEVER SAW THE DRIVER EXIT THE VEHICLE?

6A. (SGT (b)(3)(b)(6)) *They could have been looking another way when the driver exited and not seen him. other than not seeing the driver I have no idea*

10. EXHIBIT R	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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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.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3)(b)(6) TAKEN AT CAMP TAJI DATED 2007/03/01

9. STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

PAGE 2

(b)(2)High

CENTC

IO (b)(3)(b)(6) APP PE v1.01

56

Ex I

STATEMENT OF

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

TAKEN AT

DATED

9. STATEMENT (Continued)

AFFIDAVIT

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

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1. AND ENDS ON PAGE ____ . 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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ____ day of ____ at

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

A CO 1-26 IN

CAMP TAJI

APO AE 09033

ORGANIZATION OR ADDRESS

MAJ

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

PAGE 3,

(b)(2)High

IO (b)(3)(b)(6) E v1.01

CENTC

57

Ex I

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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 Old MeD A/1-26	2. DATE 8 Apr 07	3. TIME 0815	4. FILE NO.
5. NAME (Last, First, MI) (b)(3)(b)(6)	8. ORGANIZATION OR ADDRESS		
6. SSN (b)(3)(b)(6)	7. GRADE/STATUS SGT		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army **MAS (b)(3)(b)(6)** and wanted to question me about the following offense(s) of which I am suspected/accused: **EOF Incident**

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)	b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR (b)(3)(b)(6)
2a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE	5. TYPED NAME OF INVESTIGATOR MAS (b)(3)(b)(6)	6. ORGANIZATION OF INVESTIGATOR WHC 2 OCT / 322 AFS

Section C. Non-waiver

- I do not want to give up my rights
 I want a lawyer
 I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE
(b)(3)(b)(6)

ATTACHED (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

(b)(2)High

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

Ex I

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	2. DATE (YYYYMMDD) 8 Apr 07	3. TIME 0830	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS PFC	
8. ORGANIZATION OR ADDRESS A COMPANY, 1-26 IN (MECH)			

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON THE 1ST OF JANUARY, THE PLT RESPONDED TO GUNFIRE FROM (b)(2)High AND BECAME ENGAGED BY AIF INSURGENTS. THE FOLLOWING QUESTIONS SPECIFICALLY ASK YOU TO REMEMBER THE EVENTS INVOLVING YOU TARGETING A VEHICLE.

1. (MAJ (b)(3)(b)(6)) YOU STATE IN YOUR FIRST SWORN STATEMENT THAT SGT (b)(3)(b)(6) FIRED A WARNING SHOT INTO THE MEDIUM... WHAT AMOUNT OF TIME TOOK PLACE BETWEEN THE WARNING SHOT AND SGT (b)(3)(b)(6) (b)(2)High SHOT?

1A. (PFC (b)(3)(b)(6))
5-10 seconds

2. (MAJ (b)(3)(b)(6)) DID YOU EVER HEAR 1LT (b)(3)(b)(6) AT ANY TIME GIVE AN ORDER OVER THE RADIO TO STOP ENGAGING THE ENEMY ONCE ANYONE STARTED FIRING?

2A. (PFC (b)(3)(b)(6))
No

3. (MAJ (b)(3)(b)(6)) IN YOUR PREVIOUS SWORN STATEMENT YOU STATE THAT YOUR GUNNER IDENTIFIED THE DRIVER'S BODY THROUGH THE SIGHTS ON THE BRADLEY. DID YOUR DRIVER ANNOUNCE THAT THE DRIVER OF THE VEHICLE WAS MOVING AT ALL OR ANY BELIEF THAT THE DRIVER REQUIRED FIRST AID?

3A. (PFC (b)(3)(b)(6))
No

4. (MAJ (b)(3)(b)(6)) DID YOU EVER HEAR 1LT (b)(3)(b)(6) AT ANY TIME OVER THE RADIO DISCUSS GOING TO ASSESS THE HEALTH AND WELFARE OF THE DRIVER THAT HAD BEEN ENGAGED?

4A. (PFC (b)(3)(b)(6))
No

10. EXHIBIT S	11. INITIALS (b)(3)(b)(6)	STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ DATED _____"

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

DA FORM (b)(2)High 823, JUL 72, IS OBSOLETE

(b)(3)(b)(6) v1.01
CENTCOM 011959

Ex J

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3)(b)(6) _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT

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

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(b)(2)High

IO (b)(3)(b)(6) APP PE v1.01

CENTC

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Ex J

STATEMENT OF

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

TAKEN AT

DATED

9. STATEMENT (Continued)

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 ____ 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 IN

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8 day of April, 2007 at Old Mob

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

A CO 1-26 IN

CAMP TAJI

APO AE 09033

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

Article 136

(Authority To Administer Oaths)

INITIALS OF

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

STATEMENT

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(b)(2)High

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Ex J

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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 OLD M&D	2. DATE 8 Apr 07	3. TIME 0834	4. FILE NO.
5. NAME (Last, First, MI) (b)(3)(b)(6)	8. ORGANIZATION OR ADDRESS		
6. SSN (b)(3)(b)(6)	7. GRADE/STATUS DFC		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army **MAS** **(b)(3)(b)(6)** and wanted to question me about the following offense(s) of which I am suspected/accused: **EOF INCIDENT 1 JAN 07**

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR (b)(3)(b)(6)
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print) (b)(3)(b)(6)		5. TYPED NAME OF INVESTIGATOR (b)(3)(b)(6)
b. ORGANIZATION OR ADDRESS AND PHONE A/1-26 10		6. ORGANIZATION OF INVESTIGATOR

Section C. Non-waiver

- I do not want to give up my rights
 I want a lawyer
 I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-20; the proponent agency is GDCSOP6

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
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 OLD MOB	2. DATE 18 Apr 07	3. TIME 0834	4. FILE NO.
5. NAME (Last, First, MI) (b)(3)(b)(6)	8. ORGANIZATION OR ADDRESS		
6. SSN (b)(3)(b)(6)	7. GRADE/STATUS PFC		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army **WAG** **(b)(3)(b)(6)** and wanted to question me about the following offense(s) of which I am

suspected/accused **BOF INCIDENT 17AN07**

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

OR

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)

1a. NAME (Type or Print) (b)(3)(b)(6)	3. SIGNED NAME OF INVESTIGATOR (b)(3)(b)(6)
b. ORG A Co 1/26 INF	4. ORGANIZATION OR ADDRESS AND PHONE (b)(3)(b)(6)
2a. NAME (Type or Print) (b)(3)(b)(6)	5. ORGANIZATION OR ADDRESS AND PHONE (b)(3)(b)(6)
b. ORGANIZATION OR ADDRESS AND PHONE A/1-26 IN	6. ORGANIZATION OR ADDRESS AND PHONE

Section C. Non-waiver

- I do not want to give up my rights.
 I want a lawyer I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

(b)(2)High

10 **(b)(3)(b)(6)**

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	2. DATE (YYYYMMDD) 8 Apr 07	3. TIME 1051	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS SGT	

8. ORGANIZATION OR ADDRESS
A COMPANY, 1-26 IN (MECH)

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON THE 1ST OF JANUARY, THE PLT RESPONDED TO GUNFIRE FROM (b)(2)High AND BECAME ENGAGED BY AIF INSURGENTS. THE FOLLOWING QUESTIONS SPECIFICALLY ASK YOU TO REMEMBER THE EVENTS INVOLVING YOU TARGETING A VEHICLE.

1. (MAJ (b)(3)(b)(6) HOW LONG HAVE YOU KNOWN SGT (b)(3)(b)(6)
1A (SGT (b)(3)(b)(6)
ABOUT 2 YEARS

2. (MAJ (b)(3)(b)(6) DID YOU EVER HEAR ILT (b)(3)(b)(6) AT ANY TIME GIVE AN ORDER OVER THE RADIO TO STOP ENGAGING THE ENEMY ONCE ANYONE STARTED FIRING?
2A. (SGT (b)(3)(b)(6) **NO**

3. (MAJ (b)(3)(b)(6) DID YOUR DRIVER SEE THE INCIDENT OCCUR... YOU STATE IN YOUR SWORN STATEMENT TO BE FACING THE 9 O'CLOCK POSITION, BUT YOUR DRIVER SHOULD HAVE BEEN LOOKING STRAIGHT TO THE SOUTHBOUND LANE... DID YOU HAVE ANY INTERNAL COMMUNICATIONS AS THIS INCIDENT DEVELOPPED?
3A. (SGT (b)(3)(b)(6) **YES, WITHIN MY VEHICLE**

4. (MAJ (b)(3)(b)(6) DID YOU EVER HEAR ILT (b)(3)(b)(6) AT ANY TIME OVER THE RADIO DISCUSS GOING TO ASSESS THE HEALTH AND WELFARE OF THE DRIVER THAT HAD BEEN ENGAGED?
4A. (SGT (b)(3)(b)(6) **NO**

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

Ex K