UNCLASSIFIED

22 AUG 07, BLUE SAF,1x ENEMY KIA, 0x BDA, 1-8 CAV, 2/2 ID

(b)(2)High

SECRET // REL TO USA and MCFI//20170622
For display only to IRQ

UNCLASSIFIED

(b)(2)High

(b)(6)

(b)(2)High

(b)(2)High

(b)(2)High

INCIDENT: BLUE SAF
RESULTS: 1x ENEMY KIA, 0x BDA
EVENT ID: MND-B EVENT 64 (222324)
DTG: 22 2232 AUG 07
UNIT: D CO, 1-8 CAV, 2/2 ID
LOCATION: [redacted]
MISSION OF UNIT: [redacted]

TIMELINE OF EVENTS:

2232: D/1-8CAV REPORTS WHILE CONDUCTING [redacted] MUHALLA [redacted] 1x LN DISMOUNT WAS SPOTTED RUNNING FROM A BUILDING WITH A AK-47. PATROL ATTEMPTED TO MANEUVER AND DETAIN ENEMY, BUT COULD NOT MOVE THROUGH PALM GROVE. AS ENEMY ENTERED PALM GROVE AN[redacted] FIRED APPX 15x [redacted] AT ENEMY TO STOP HIM AND THEN APPX [redacted] BUT MISSED. PATROL IDENTIFIED HIM THROW AN OBJECT, POSSIBLY THE AK-47. AFTER DISMOUNT EXITED THE [redacted] A SECOND [redacted] IDENTIF[redacted] ENEMY AND ENGAGED WITH 2x RDS OF [redacted] TO DESTROY

2236: D/1-8 CAV REPORTS THEY MOVED TO WOUNDED ENEMY TO PROVIDE AID, BUT MEDIC SAID EXTENT OF WOUNDS WAS TOO SEVERE AND ENEMY DOW ON SCENE. MUSTANG JSS WAS CONTACTED TO SEND IPS TO TEND TO BODY, PATROL EXFILLED AREA TO MOVE TO FOB LOYALTY

//UPDATE// PATROL WAS GETTING READY TO EXFIL AND EVAC 1x CF SOLDIER TO FOB LOYALTY FROM A NON-BATTLE INJURY WHEN EVENT OCCURRED. CF SOLDIER WAS BELIEVED TO HAVE APPENDICITIS AND NEEDED IMMEDIATE CARE. HASTY SSE WAS CONDUCTED AT SITE, BUT PATROL COULD NOT LOCATE THE AK-47. THEY BELIEVED IT WAS EITHER THROWN FROM AREA FROM ENGAGEMENT OR DITCHED BY ENEMY WHILE RUNNING THROUGH THE [redacted]. THE BODY WAS BROUGHT TO THE JSS AT 0130. HE WAS IDENTIFIED AS [redacted] HIS IDENTIFICATION [redacted] THE INDIVIDUAL HAD [redacted] BUT WAS NOT SPECIFIED

PNLS 2 ASSESSMENT:

(b)(2)High

WHILE PATROL WAS CONDUCTING [redacted] OF MUHALLA [redacted] A LN WITH AN AK-47 RAN FROM A BUILDING FROM CF AND CUT THROUGH A PALM GROVE. AN [redacted] FIRED AT ENEMY TO STOP HIM BEFORE HE CUT THROUGH THE [redacted] AND HE THREW AN OBJECT, POSSIBLY THE AK-47 WHEN HE ENTERED THEM. A SECOND [redacted] ENGAGED AND KILLED THE ENEMY AFTER HE EXITED THE [redacted] TO THE NORTH. PATROL HAD TO MEDEVAC A CF SOLDIER DUE TO A NON-BATTLE INJURY AND COULD ONLY PERFORM A HASTY SSE ON SITE. PATROL COULD NOT MOVE THROUGH PALM GROVE AND FIND THE AK-47 DUE TO URGENCY OF CF SOLDIER'S WOUNDS. IPS WERE NOTIFIED OF BODY AT SITE

SECRET // REL TO USA and MCFI//20170622
For display only to IRQ

(b)(2)High

(b)(2)High

UNCLASSIFIED

UNCLASSIFIED

(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)	3. TIME	4. FILE NUMBER
FOB Rustamiyah	2007 11 24	2145	

5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6) | 6. SSN | 7. GRADE/STATUS O-2

8. ORGANIZATION OR ADDRESS
O Co, 1-8 CAV, 2 BCT, 1CD

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

On 22 Aug 2007 my platoon, Red Platoon, Delta Company was conducting (b)(2)High in Muhallah (b)(2)High At 2232 I was in a house on the South side of (b)(2)High. At the time I was collecting (b)(2)High information when traffic came over the net that an individual was running towards the outer cordon with what was believed to be a weapon. I then heard (b)(2)High shots which was what turned out to be warning shots from SSG (b)(3)(b)(6) and SPC (b)(3)(b)(6). I ran towards SSG (b)(3)(b)(6) position to better assess the situation, by the time I got to his position but by that time the hostile had already moved into the park and was headed towards B14 position and was being engaged by one of the (b)(2)High Mojach and SSG (b)(3)(b)(6) attempted to move closer to the outer cordon when we heard B14 engage the hostile with (b)(2)High. SGT (b)(3)(b)(6) the B14 BC then reported that the hostile was down at (b)(2)High. I took a dismount squad to (b)(2)High en route SGT (b)(3)(b)(6) called me telling me that his driver SPC (b)(3)(b)(6) was experiencing extreme stomach pains. We approached (b)(2)High and saw the hostile laying in the intersection of (b)(2)High. We moved him to cover and our medic PFC (b)(3)(b)(6) attempted to treat him but his injuries were too severe. We then began an initial search for the weapon we believe the hostile lost when he was hit. Simultaneously our medic began to treat SPC (b)(3)(b)(6). It was initialy believed the SPC (b)(3)(b)(6) had appendicitis and I made the call to casevac him to FOB Loyalty. I ordered the SSE and ~~[illegible]~~ weapon search to cease. We loaded up the vehicles and moved to Loyalty. En route (b)(3)(b) Loyalty we were hit with an IED 1K south of the cordon, No BDA no CAS.

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.

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STATEMENT OF (b)(3)(b)(6) TAKEN AT FOB Rustamiyah DATED 2007 11 24

9. STATEMENT *(Continued)*

)(3)(b)(

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

(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

SSG (b)(3)(b)(6)
D Co 1-8 Cav
FOB Rustamiyah
ORGANIZATION OR ADDRESS

SPC (b)(3)(b)(6)
D Co 1-8 CAV ICD
FOB Rustamiyah
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of Nov 2007 at FOB RUSTAMIYAH

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

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

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

PAGE 3, DA FORM 2823, DEC 1998

APD PE v1.01

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).
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DISCLOSURE:	Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
FOB Rustamyah	2007 08 23	1650	

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

7. GRADE/STATUS: E-6 / Active

D 1-8 Cav

9.

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

At 2232 hrs. on 22 Aug 07 while conducting a cordon + Knock in MA (b)(2)High with White and Red elements of D 1-8 Cav a Man came running by my position (close to intersection of (b)(2)High and (b)(2)High with what appeared to be an AK-47. My Driver and myself dismounted the (b)(2)High and shouted at him to stop numerous times. At this time he was running towards Red PLT (b)(2)High (RW) which was positioned at the intersection of (b)(2)High and (b)(2)High At this time we both fired a warning shot to get him to stop. He did not stop. We then fired on the individual and he ducked into the park. At this time the (b)(2)High on the outer cordon engaged and killed the individual at (b)(2)High (vic (b)(2)High. Dismounts then moved to the location and nothing was found on the individual.

nothing else follows

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

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

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

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

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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DA FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE APD PE v1.01

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 2045 DATED 24 Nov 07

9. STATEMENT *(Continued)*

I (b)(3)(b)(6) want to make the following statement under oath: This is in reference to the incident that occurred 2232 hrs. on 22 Aug 07

What was the visibility at the time?

this incident occurred during the hours of darkness under limited visibility

The LN appeared to have an AK-47, what does this mean?

The LN came running by my position with a weapon; due to the speed he was traveling it appeared to be an AK-47 in his right hand, the type of weapon may not be correct. I couldn't determine the color of the weapon due to the speed he was traveling and it was dark.

Was the weapon pointed at any Soldiers?

The weapon was pointed at the ground when he ran past my position, that's why we hollered at him to stop, then fired a warning, and he continued to run towards one of our (b)(2)High

Where did he throw the weapon?

unknown due to limited visibility

How was he threatening you?

After we yelled at him to stop and fired warning shots he ran directly at one of our (b)(2)High until we attempted to engage him then he ran in the park.

nothing follow

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

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6) PAGE OF PAGES

PAGE 2, DA FORM 2823, DEC 1998 APD PE v1.01

STATEMENT OF (b)(3)(b)(6) TAKEN AT 1650 DATED 2007 08 23

9. STATEMENT *(Continued)*

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

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

(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 _____. 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:

ORGANIZATION OR ADDRESS

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)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITI ON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

PAG 2823, DEC 1998

APD PE v1.01

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)	3. TIME	4. FILE NUMBER
FOB Rustimyah	2007 0823	0145	

5. LAST NAME, FIRST NAME, MIDDLE NAME — (b)(3)(b)(6) — 6. SSN

7. GRADE/STATUS: E-5

8. ORGANIZATION OR ADDRESS: Det 1-8Cav

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

While scanning our sector of fire, During (b)(2)High Myself and my Gunner, PV2 (b)(3)(b)(6) heard shots fired. Our (b)(2)High then came over the net stateing that an individual had a weapon and had taken off running. Me and My Gunner started scanning for the individual. We spotted a dismount firing into the park. We followed his tracer rounds & seen the individual running. I could (b)(3)(b) only see the individual upper torso from the sholder up. Myself and my Gunner went off what we were hearing over the net and began to engage the target. My gunner engaged the target with our coax. The individual ran behind a building out of site so we stopped firing. My Gunner shot a burst of coax. approx. 10 + 15 rounds. This incident happened at (b)(2)High on 22 Aug 2007.

Nothing else 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 _____"

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STATEMENT OF (b)(3)(b)(6) TAKEN AT 0145 DATED 23 Aug 07

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

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

WITNESSES:

ORGANIZATION OR ADDRESS

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)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)

PAGE 2 OF 2 PAGES

PAGE 3, DA FORM 2823, DEC 1998

APD PE v1.01

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
FOB Rustamiyah	20070823	0148	

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

7. GRADE/STATUS: SPC E-4 RA

8. ORGANIZATION OR ADDRESS: D 1/8 CAV

9.

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

(b)(3)(b)(6

At 2232 on 22 Aug 07, I was scanning ~~with a~~ and gunning in truck B102, when a man ran by at a high rate of speed. As he passed the street corner, I noticed he was carrying something that appeared to be a weapon. The Driver and TC (Spc (b)(3)(b)(6) and SSG (b)(3)(b)(6) dismounted and chased him. They shouted several times, rounded the corner and I lost sight of them. I heard 3-5 individual gunshots, then a short burst, then the (b)(2)High started shooting. We were located at (b)(3)(b)(6)

(b)(2)High

nothing else follows.

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

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT ____ DATED ____"

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STATEMENT OF (b)(3)(b)(6) TAKEN AT 0159 DATED 23 Aug 07

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)

WITNESSES:

ORGANIZATION OR ADDRESS

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)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)

PAGE 2 OF 2 PAGES

PAGE 3, DA FORM 2823, DEC 1998

APD PE v1.01

SWORN STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Fob Rustamiyah	2007/08/24	17:01	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3)(b)(6)		E4

8. ORGANIZATION/OR ADDRESS
Dco 1-8 cav

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

at 22:32 pm on the 22nd of August I (3)(b) was in the drivers seat of B102 which was stationary on the intersection of (b)(2)High and (b)(2)High. A military aged man ran past my truck smoking a cigarette and carrying what appeared to be an AK-47. My T.C. and I exited the vehicle in pursuit of this individual. We shouted several warnings for this man to stop and when he failed to my T.C. fired (3)(b) a warning shot. Once again the man failed to stop so I also fired a warning shot. at this time the man cut into the park at the intersection of (b)(2)High an (b)(2)High At this time I attempted to eliminate the target and this is when the (b)(2)High fired. The target was killed at grid (b)(2)High

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

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

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STATEMENT OF (b)(3)(b)(6) SPC TAKEN AT 20 45 DATED 24 Nov 07

9. STATEMENT *(Continued)*

The visibility was limited beause it was dark outside. I was not involved in the SSE portion because I was ordered back to my truck. The weapon appeared to be an AK 47. The weapon was in his right. It was the standard wood and metal AK 47. At the time he ran by my truck it was pointed at the ground. The weapon was not aimed at me personally be he was running toward a bradley with the weapon. Because of the limited visibility I did not see where the weapon was thrown. He ran out of the inner cordon with an AK 47 in the direction of a (b)(2)High ,

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

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
FOB Rustimayah	2007/08/23	0145	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3)(b)(6)		E4

D 1-8 Cav

9.

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

At 2232 on 22 Aug 07. A man was runnin down the road with what appeared to be a weapon in his hand. After Several warning Shots he continued to run. I was ordered to encage him and Killed him. This happend at (b)(2)High

Nothing else follows

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

10. EXHIBIT	11. IN (b)(3)(b)(6) SON MAKING STATEMENT	PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMEI... _____ TAKEN AT _____ DATED _____

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STATEMENT C (b)(3)(b)(6) _ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

My visibility on the night of the Shooting was good. I was gunnin on my (b)(2)High with thermal flir sights. On this night a man ran ~~ay~~ (3)(b) by (b)(2)High with (b)(3)(b)(6) what appeared to be an AK47 in his hand. My (b)(2)High Commander ordered me to fire after several warning shots were fired by the dismonts. I'm unsure where his gun landed after I shot him.

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

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6) PAGE OF PAGES

PAGE 2, [illegible] EC 1998 APD PE v1.01

STATEMENT OF (b)(3)(b)(6) TAKEN AT OIHS DATED 23 Aug 07

9. STATEMENT (Continued)

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

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

FIDAVIT

I (b)(3)(b)(6) ___, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHIC Y 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 FREEL THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFL

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

WITNESSES:

ORGANIZATION OR ADDRESS

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)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

PA

APD PE v1.01

SWORN STATEMENT

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Fob Rustimyah	20070823	0200	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3)(b)(6)		E-4

8. D 1-8 CAV

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

On 22 Aug 07 at 2232 a Iraqi was told to stop because he had what appeared to be a weapon being carried in a threatening manner. The dismounts on the ground fired warning shots (b)(3)(b)(6) he ran I was the BC of B-14 a (b)(2)High as he ran out of there field of fire I told my gunner to kill him, which he did at (b)(3)(b)(6)

(b)(2)High

nothing else follows

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

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

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.

DA FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE APD PE v1.01

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 2100 DATED 24 Nov 08

9. STATEMENT *(Continued)*

This incident occured during the hours of darkness which did not limit visibility due to the fact i was using (b)(2)High the only limit i had was physical eyes on.

I was not involved in the SSE portion because I was more concerned with scanning to make sure no one else was going to attack my dudes, also my driver was cramping extremly bad and we thought he had pendick situs and exfiled

It Looked Like a AK-47, Idk what hand it was in im looking through (b)(2)High (b)(2)High ; No It was pointed at our guys obviously.

)(3)(b)([redacted]

I did not see him fire. he threw it on the ground somewhere. He wasnt walking he was running by pointing a weapon at us.

nothing else follows

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

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6) PAGE OF PAGES

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STATEMENT OF (b)(3)(b)(6) TAKEN AT Q200 DATED 20070823

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 INFLUEN

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

WITNESSES:

ORGANIZATION OR ADDRESS

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)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)

PAGE 2 OF 2 PAGES

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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)	3. TIME	4. FILE NUMBER
FOB Rustimayiah	20070823	0145	

5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6) 6. SSN 7. GRADE/STATUS ~~E-2~~ (b)(3)(b) E-2

8. D co. 1-8 CAV

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

I heard shots being fired. Started to scan in the direction of the gun fire. I then heard (b)(2)High come accross the net saying that they fired warning shots at someone running. I then identified someone running with what looked like a weapon in his hand. I then started to engage that person with 7.62. He ran out of my sight I stopped firing. This incident happened at (b)(2)High at ~~2230~~ 2232 on 22 Aug 2007. (b)(3)(b)(6)

Nothing else 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 _____"

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STATEMENT OF ____ (b)(3)(b)(6) ___ TAKEN AT 0145 DATED 23Aug07

9. STATEMENT *(Continued)*

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

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

(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, O

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

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

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)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)

PAGE 2 OF 2 PAGES

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