**SIR FOR 08JUN07**

FROM: 2-23 IN

THRU: 4/1 ID

TO: MND-B

SUBJECT: SIR

1. CATEGORY: EOF
2. TYPE OF INCIDENT: EOF
3. DATE AND TIME: 080820JUN07
4. LOCATION: (b)(3), b(6)

5. PERSONNEL INVOLVED:

A. SUBJECT: (b)(3), b(6)

A. RANK OR GRADE: 1LT
B. SOCIAL SECURITY NUMBER: (b)(3), b(6)
C. RACE: b(6)
D. SEX: Male
E. AGE: (b)(6)
F. POSITION: 1ST Platoon Leader
G. SECURITY CLEARANCE: Secret
H. UNIT AND STATION OF ASSIGNMENT: B/2-23 IN, FOB Falcon
I. DUTY STATUS: Active
J. MARITAL STATUS: (b)(6)

SUBJECT: (b)(3), b(6)
K. RANK OR GRADE: SSG
L. SOCIAL SECURITY NUMBER: (b)(3), b(6)
M. RACE: b(6)
N. SEX: Male
O. AGE: (b)(6)
P. POSITION: 2nd Platoon Squad Leader
Q. SECURITY CLEARANCE: Secret
R. UNIT AND STATION OF ASSIGNMENT: B/2-23 IN, FOB Falcon
S. DUTY STATUS: Active
T. MARITAL STATUS: (b)(6)

C. **ALCOHOL INVOLVEMENT**: NONE

SUMMARY OF INCIDENT: B23 was in a blocking positio (b)(2)High (b)(2)High when a van approached and tried to enter the cordon. Dismounts around the vehicle motioned and yelled for the vehicle to stop before the vehicle entered the lethal zone, B23 fired two warning shots in front of the vehicle. NP assigned to the Assault Force engaged when they say US Forces firing. The B Co PL leading the assault force gave the NP the command to cease fire. The NPs ceased fire. The vehicle stopped momentarily and then started driving in the same direction. Once again B23 and the dismounts motioned and shouted for the vehicle stop. When it did not stop, they fired disabling shots into the vehicle while receiving SAF from the vehicle. Two muzzle flashes were seen coming from two windows in the vehicle. The NPs re-engaged the vehicle after the US disabling shots were fired. The vehicle was engaged by the US forces and NPs, one AIF was KIA, with two other WIA. The vehicle caught fire and moments later there was a secondary explosion, most likely from the fuel tank.

7. OTHER INFORMATION:

A. RACIAL: N/A

B. EOF INVOLVEMENT: No.

8. REMARKS:

9. PUBLICITY: N/A

10. COMMANDER REPORTING: MAJ (b)(3), b(6)

11. POINT OF CONTACT: MAJ (b)(3), b(6) @ VOIP 777-2053

12. REPORT ORIGINATED BY: CPT (b)(3), b(6)

13. RELEASED BY: 2-23IN TOC, CPT

14. UNIT NOTIFICATIONS:

A. IN PERSON

| POSITION | NAME | TIME | INSTRUCTIONS |
|---|---|---|---|
| BN CDR | (b)(3), b(6) | 0900 | |

B. EMAIL
C. FM FREQ

| POSITION | NAME | TIME | INSTRUCTIONS |
|---|---|---|---|

MND-B BTL NCO:

TIME RECEIVED:

MND-B G3 BTL NCO ACTIONS:

MND-B CHOPS / BTL MAJ DISPOSITION:

MND-B CHOPS NOTIFICATIONS:

A. TELEPHONE

| POSITION | NAME | TIME | INSTRUCTIONS |
|---|---|---|---|

B. EMAIL

| POSITION | NAME | TIME | INSTRUCTIONS |
|---|---|---|---|

(b)(2)High, Nonresponsive

b)(3)(b)(6

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

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

(b)(3)(b)(6

# DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG

For use of this form, see AR 220-15: the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

| PAGE NO. | NO. OF PAGES |
|---|---|
| 38 | |

| ORGANIZATION OR INSTALLATION | LOCATION | PERIOD COVERED | | | |
|---|---|---|---|---|---|
| | | FROM | | TO | |
| | | HOUR | DATE | HOUR | DATE |
| B CO 2-23INF | COP AMANCHE | 0000 | 08 JUNE 07 | 0845 | 08 JUNE 07 |

| ITEM NO. | TIME IN | TIME OUT | INCIDENTS, MESSAGES, ORDERS, ETC. | ACTION TAKEN | INL |
|---|---|---|---|---|---|

(b)(2) High

(b)(2) High

(b)(2) High

(b)(2)High, Nonresponsive

(b)(2) High

# DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG

For use of this form, see AR 220-15; the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

| PAGE NO. | NO. OF PAGES |
|---|---|
| 39 | |

| ORGANIZATION OR INSTALLATION | LOCATION | PERIOD COVERED | | | |
|---|---|---|---|---|---|
| | | FROM | | TO | |
| | | HOUR | DATE | HOUR | DATE |
| B CO 2-23INF | COP AMANCHE | 0852 | 08 JUNE 07 | 1155 | 08 JUNE 07 |

| ITEM NO. | TIME IN | TIME OUT | INCIDENTS, MESSAGES, ORDERS, ETC. | ACTION TAKEN | INL |
|---|---|---|---|---|---|

2) H

(b)(2) High

(b)(2) High

(b)(2) High

(b)(2) High

(b)(6)

(b)(2)High, Nonresponsive

(b)(6)

(b)(2) High

(b)(3), b(6)

(b)(3), b(6)

(b)(2) High

DA FORM 1594, NOV 1962 PREVIOUS EDITION OF THIS FORM IS OBSOLETE. APD PE v3.00ES

EOF w/1 LN DEATH & 2 LNs INJURED(B/2-23IN), 4-1ID, 8 JUN 07

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

# DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG

For use of this form, see AR 220-15; the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

| PAGE NO. | NO. OF PAGES |
|---|---|
| 40 | |

| ORGANIZATION OR INSTALLATION | LOCATION | PERIOD COVERED | | | |
|---|---|---|---|---|---|
| | | FROM | | TO | |
| | | HOUR | DATE | HOUR | DATE |
| B CO 2-23INF | COP AMANCHE | 1158 | 08 JUNE 07 | | |

| ITEM NO. | TIME IN | TIME OUT | INCIDENTS, MESSAGES, ORDERS, ETC. | ACTION TAKEN | INL |
|---|---|---|---|---|---|
| | | | (b)(3), b(6) | | |
| | | | (b)(3), b(6) | | |
| | | | (b)(2)High, Nonresponsive | | |

| TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY | SIGNATURE |
|---|---|
| | |

DA FORM 1594, NOV 1962 PREVIOUS EDITION OF THIS FORM IS OBSOLETE. APD PE v3.00ES

EOF w/1 LN DEATH & 2 LNs INJURED(B/2-23IN), 4-1ID, 8 JUN 07

# 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 |
|---|---|---|---|
| M836, Baghdad, IZ | 20070608 | 1930 | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| (b)(3), b(6) | | O2/Active |

8. ORGANIZATION OR ADDRESS
B CO 2-23 INF

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

At appx 0850 this morning, 1st plt with 40 NPs and with 2d plt in support in a cordon position began a deliberate clearance of (b)(2) High. At appx 0815, myself, 20 NPs, 2d Sqd 1st plt, & 3d Sqd 3d plt dismounted at 68th St at its intersection with 35th. I sent 3d/3d North with 10 NPs to clear 81st St and I was arranging my 10 NPs with my 2d Sqd to begin clearance North along 35th street. 2nd Platoon had a Stryker, B 2-3, at that dismount point with a few dismounted troops in the area on roof tops.

I was standing about (b)(2)High of the intersection when at appx 0830 I heard a single shot fire in my vicinity. I looked to see what it was, and it was an NP firing a warning shot moving South to North appx 100m to the east of our dismount point. I told my interpreter to tell the NPs to stop shooting and wave the vehicle on, as it presented no threat. The interpreter waved him on and as the vehicle began moving, another NP warning shot fired. I reiterated my order to cease fire and wave them on. This happened 3 or 4 times until an NP shot a burst of AK47 into the vehicle. About this time, (b)(2)High B 2-3 began shooting at the van with (b)(2)High and that coincided with 4 or 5 NPs opening fire at the van.

At this point, I began giving the cease fire (b)(2)High and was screaming over the radio to cease fire, however, although lulls in fire occured, it never ceased until the vehicle was completely destroyed. The engagement lasted 30 sec - 1 min, with a male passenger of the vehicle exiting on the eastern side, running to the rear of the vehicle on the south and being shot during the engagement.

When fire ceased, I called my PSG, SSG(P) (b)(3), b(6) to the dismount point with our medic, SPC (b)(3), b(6) in order for them to move to the van to begin treatment.

| 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.*



EOF 4/1 EN DEATH 3 LNs INJURED(B/2-23IN), 4-1ID, 8 JUN 07

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

I approached the vehicle appx 1 minute after my PSG and Stryker B-2-3 passed me as I moved. At this point the van was ablaze, containing 1 KIA who I believed was killed by bullets, not the subsequent fire.

Also, a woman with lower extremity wounds was being treated on the ground as well as a young (b)(2) Hi male, with major lower body wounds includind exploded knee caps, assorted bullet wounds in his legs and buttocks, and what appeared to be an exposed tibia and fibia, both sheared, in one of his legs. Doc (b)(3), b(6) treated the male, with someone else treating the female at the start. It appeared as if the male would die during treatment, however, upon administration of morphine and cessation of arterial bleeding via a tourniquet applied to the left leg, the patient took on a less deathly look, was loaded onto B 2-3, and evacked with the female to COPA manche

I at no time felt threatened by the van or its passengers and found no weapons or incriminating evidence on scene that would've required deadly force. The KIA passenger was burned beyond recognition on scene and I could not identify due to the heat and intensity of the flames.

Nothing Follows

(b)(3), b(6)

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

1LT (b)(3), b(6)

WITNESSES:

(b)(3), b(6)

ORGANIZATION OR ADDRESS

(b)(3), b(6)

3 CO 2-23 INF

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8 day of June, 08 at 1954

(b)(3), b(6)

*(Typed Name of Person Administering Oath)*

*(Authority To Administer Oaths)*

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

PAGE 2 OF 2 PAGES

# SWORN STATEMENT

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**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 |
|---|---|---|---|
| COP AMMANCHE | 2007 06 08 | 2222 | |

5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), b(6)
6. SSN:
7. GRADE/STATUS: E7/AD

8. ORGANIZATION OR ADDRESS: B CO 2-23 IN, FORT LEWIS, WA 98433

9.

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

WE DEPARTED COP AMMANCHE AROUND 0000 FOR OUR MISSION WAS TO DENY FREEDOM OF MOVEMENT BY VEHICLE OR FOOT INSIDE OF (b)(2)High. WE OCCUPIED A HIDE POSITION (b)(2)High AROUND 0430 AT A PRE DESIGNATED SITE FROM CAPTAIN (b)(3), b(6). 3RD SQUADS HIDE POSITION WAS LOCATED ON TIER 1.

AROUND 0000 PFC (b)(3), b(6) AND MYSELF HAD RETURNED FROM CHECKING TWO UNOCCUPIED HOUSES THAT HAD BEEN CLEARED PRIOR TO USA NEAR 3RD SQUADS HIDE SITE AT TIER 1. I SAT DOWN AGAINST THE WALL COVERING THE STAIRS TO THE ROOF FACING SOUTH. I BEGAN TALKING TO THE MP DOG HANDLER ABOUT THE COURSE AND HIS DOG.

SGT (b)(3), b(6) ANNOUNCED TO THE SQUAD HE HAD A VAN MOVING INTO THE AREA EAST OF THE BUILDING MOVING NORTH. (b)(3)(b)(6) HE GAVE I SAW HIM GIVEN (b)(2)High AND VERBALLY TELLING IT TO STOP, HE GAVE THE COMMAND 2 OR 3 TIMES AND HE THEN FIRED A SHOT. ABOUT 10 SECONDS LATER HE FIRED A SECOND SHOT AFTER ABOUT ANOTHER 10 SECONDS HE FIRED A THIRD SHOT. HE THEN DUCKED BEHIND COVER THEN STOOD BACK UP AND BEGAN KICKING ALONG WITH THE SQUAD MEMBERS WHO WERE ON THE EAST WALL.

THE MP MOVED AWAY FROM THE WALL STAYING BEHIND COVER AND BEFORE I WAS COMPLETELY STANDING SSG (b)(3), b(6) SHOUTED THE CEASE FIRE COMMAND AND THE SHOOTING STOPPED. HE THEN TOOK THE PLATOON MEDIC, SPC (b)(3), b(6) AND A FIRE TEAM DOWN TO B 23 AND MOVED TO THE VEHICLE, WHICH WAS NOW BEGINNING TO BURN, TO TREAT CASUALTIES. THE CASUALTIES WERE EVACUATED TO COP AMMANCHE.

I COULD NOT TELL IF ANY FIRE WAS COMING FROM GROUND LEVEL TOWARDS THE VAN.

/ END OF STATEMENT

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

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USE THIS PAGE IF NEEDE! THIS PAGE IS NOT NEEDED, PLEASE PROCEED T( AL PAGE OF THIS FORM.

STATEMENT OF SFC (b)(3), b(6) TAKEN AT COP AMANCHE 2220 DATED 20070608

9. STATEMENT *(Continued)*

NOTHING FOLLOWS

NOTHING FOLLOWS

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

PAGE 2 OF 3 PAGES

*PAGE 2, DA FORM 2823, DEC 1998*

APD PE v1.01

EOF w/1 LN DEATH & 2 LNs INJURED(B/2-23IN), 4-1ID, 8 JUN 07

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

CENTCO

STATEMENT OF SFC (b)(3), b(6) TAKEN AT COP Amanche 2220 DATED 20070608

9. STATEMENT *(Continued)*

NOTHING FOLLOWS

NOTHING FOLLOWS

**AFFIDAVIT**

I, SFC (b)(3), b(6) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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 INF (b)(3), b(6)

W (b)(3), b(6) SSG USA

COP Amanche

ORGANIZATION OR ADDRESS

(b)(3), b(6)

SPC, USA

COB Amanche Iraq

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of June, 2007 at COP Amanche

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

*(Typed Name of Person Administering Oath)*

1Lt. USA

*(Authority To Administer Oaths)*

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

PAGE 3 OF 3 PAGES

PAGE 3, DA FORM 2823, DEC 2006 ... INJURED(B/2-23IN), 4-1ID, 8 JUN 07 IC (b)(3)(b)(6) PE v1.01

CENTCO 3

# SWORN STATEMENT

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| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| COB Amarah | 20070608 | 2250 | |

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

8. ORGANIZATION OR ADDRESS
Bravo Company 2/23 INF, 4/2 ID

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

While watching my sector mid-morning (b)(2)High I heard SGT (b)(3), b(6) yell "Kiff". I turned to look at what he was yelling at & saw the van about (b)(2)High. It was moving from SE to NW towards our cordon and the next thing I saw was a warning shot (b)(3)(b)( (b)(2)High in front of the van. The van stopped for 5-10 seconds, noticed movement in the vehicle at the drivers seat & back seat, then started to drive forward. More yelling of "Kiff" and "Stop" as I stared at the van. Another warning shot landed (b)(3)(b)(6 (b)(2)High in front of the van again, it stopped for 5-10 seconds, noticed movement at the drivers seat & back seat, then started to drive forward again. I heard a single shot after that but couldn't see where it landed, then came automatic fire from somewhere near by. I remember people next to me starting to open fire on the moving vehicle. That's when I engaged with my (b)(2)High A couple rounds later & I malfunctioned. I transitioned to my (b)(2)High later, cease fire was called. I went down to treat the wounded after that.

Came upon 2 wounded pressumably Iraqi civilians 5m from the van that had caught fire. We picked up the casualties & moved them to a safer distance. I treated the male casualty while SPC (b)(3)(b)(6) Marcus treated the female. The male was in his (b)(6) with multiple gunshot wounds to his buttocks & lower extremities. Chief wound was a large gunshot wound pressumably from (b)(2)High to left leg just below his knee. Large entry & exit with arterial bleeding. TQ was applied to extremity & moved on to treat other wounds. Once all bleeding was controlled, both patients were evacuated to COB Amarah, via B23 where I transfered care of the Gunshot wound casualties to (b)(2)High

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 3 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.*

USE THIS PAGE IF NEEDF  F THIS PAGE IS NOT NEEDED, PLEASE PROCEED T  NAL PAGE OF THIS FORM.

STATEMENT OF SPC (b)(3), b(6) TAKEN AT 2250 DATED 2007 06 08

9. STATEMENT *(Continued)*

(b)(3), b(6)

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

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

(b)(3), b(6)

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

PAGE 2 OF 7 PAGES

*PAGE 2, DA FORM 2823, DEC 1998*

APD PE v1.01

EOF w/1 LN DEATH & 2 LNs INJURED(B/2-23IN), 4-1ID, 8 JUN 07

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

STATEMENT OF SPC (b)(3), b(6) TAKEN AT 2250 DATED 20070608

9. STATEMENT *(Continued)*

(b)(3), b(6)

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

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

(b)(3), b(6)

**AFFIDAVIT**

I, SPC (b)(3), b(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1. AND ENDS ON PAGE 1. 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:

(b)(3), b(6) PFC USA COB Amarche Iraq

ORGANIZATION OR ADDRESS

(b)(3), b(6)

EOT. USA

COB AMARCHE, IRAQ

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of JUNE 2007 at Cop Amarche

(b)(3), b(6)
*(Typed Name of Person Administering Oath)*

1Lt. USA
*(Authority To Administer Oaths)*

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

PAGE 3 OF 3 PAGES

PAGE 3, DA FORM 2823, DEC 1998 EOF WITH DEATH & 2 LNs INJURED(B/2-23IN), 4-1ID, 8 JUN 07 IO (b)(3), b(6) ID PE v1.01

CENTCO 26

# SWORN STATEMENT

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

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

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| Southeast section of Bates Ellbow | 20070608 | 0800hrs | |

| 5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS |
|---|---|---|
| (b)(3), b(6) | | E5 / AD |

8. ORGANIZATION OR ADDRESS
2-23IN B CO, 2nd Platoon, 3rd Squad

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

At 0800 the (b)(2)High (b)(2)High blue Mini Van was Traveling from (b)(2)High (b)(2)High where 2nd Platoon 3rd Squad was occupying our part of the cordon of the area. The blue mini van entered the amber section of the TCP. SGT (b)(3), b(6) yelled QUIF (Stop) several times, but the vehicle failed to stop. He then fired a warning shot and yelling warning shot from a (b)(2)High in front of the vehicle. The vehicle stopped momentarily then started moving again. He then fired a (mk) second warning shot. the vehicle stopped momentarily then started moving again. He fired a third warning shot but the vehicle did not stop. There was fire again either (b)(2)High (b)(2)High (b)(2)High entered but the vehicle didnt stop. The vehicle then windo[illegible] at which time there was muzzle flash from the drivers and gunner of 23 Victor. I felt threatened and immediately returned fire during which time fire was also being returned by 3rd Squad at their position and the National Police. After there was no remaining sign of threat CEASE fire was yelled on the radio at which time I ceased fire.

Nothing Follows

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STA[illegible]EN AT ____ DATED ____

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STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

I, SGT (b)(3), b(6) _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. 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:

(b)(3), b(6) B-Co 2-23 In

ORGANIZATION OR ADDRESS

(b)(3), b(6) SGT, HHC, 610 BSB

ORGANIZATION OR ADDRESS

AFFIDAVIT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of June 2007

at 1600 hrs. BDE HQ FOB FALCON, IRAQ

(b)(3), b(6)

*(Typed Name of Person Administering Oath)*

Art. 136 UCMJ

*(Authority To Administer Oaths)*

INITIALS (b)(3), b(6) STATEMENT PAGE OF PAGES

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

| 1. LOCATION | 2. DATE (YYYYMMDD) | 3. TIME | 4. FILE NUMBER |
|---|---|---|---|
| COP Amanche | 20070608 | 2220 | |

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

8. ORGANIZATION OR ADDRESS

9.

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

At 0800 A Blue Van Approaching From the (b)(2)High (b)(2)High moving to the North, SGT (b)(3), b(6) yelled in arabic and English For the Van to Stop. The Van did not Stop. SGT (b)(3), b(6) and I Showed them our weapons. The Van still did not Stop. SGT (b)(3), b(6) Fired his First warning Shot. The round hit center of the road about (b)(2)High infront of the Van. The Van Stopped. SGT (b)(3), b(6) told the Van to turn around. SGT (b)(3), b(6) and I pointed For the Van to turn around. After about 15 Seconds the Van started to move to the North again. SGT (b)(3), b(6) Fired his Second warning shot. The round hit center of the road Ten Feet infront of the Van. The Van stopped. SSG (b)(3), b(6) told the Van to turn around and pointed. After about 10 Seconds the Van started to move to (b)(2)High again. SGT (b)(3), b(6) Fired his third warning Shot. the round hit the Center of the road 10 feet infront of the Car. SGT (b)(3), b(6) told the Van to turn around again with verbal and hand Signals. After about 10 Seconds the Van started to move again. I Fired a warning Shot at the Front Left tire of the Van. PFC (b)(3), b(6) Fired an Eight to twelve round burst across the road about (b)(2)High infront of the Van. After PFC (b)(3), b(6) Burst I Saw a muzzle Flash From the middle window of the Van. I Ducked Down and Returned Fire at the middle window. I Saw PFC (b)(3), b(6) Fire at the center window I had Shot At. SGT (b)(3), b(6) was Firing at the Drivers Side Door and window along with 23 victor. A male sprinted From behind the Van and reached at the Ground. I Fired at Him but missed. At that Point the Van Started to

| 10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF ____ 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 EOF 4W1 EN DEATH 8 2 LNs INJURED(B/2-23IN), 4-1ID, 8 JUN 07 DA FORM 2823, JUL 72, IS OBSOLETE IO (b)(3), b(6) PE v1.01

CENTCO 29

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

STATEMENT OF SSG (b)(3), b(6) TAKEN AT COP Amanche 2220 DATED 20070609

9. STATEMENT *(Continued)*

to catch Fire. I called a Cease Fire. I told Doc (b)(3), b(6) to get onto 23 victor. We went to look for casultres. there were two. one was a male the other was a Female. myself and SPC. (b)(3), b(6) prepd 23 victor for cas evac. we loaded the casultres and 23 victor moved Back to COP Amanche.

Nothing Follows

Nothing Follows

Nothing Follows

Nothing Follows

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

PAGE 2 OF 3 PAGES

*PAGE 2, DA FORM 2823, DEC 1998*

APD PE v1.01

STATEMENT OF SSG- (b)(3), b(6) TAKEN AT Cop Amanche 2220 DATED 20070605

9. STATEMENT *(Continued)*

Nothing Follows

Nothing Follows

Nothing Follows

Nothing Follows

**AFFIDAVIT**

I, SSG- (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

SSG- (b)(3), b(6)

*(Signature of Person Making Statement)*

WITNESSES:

(b)(3), b(6)

SPC USA, COB Amanche, Iraq

RESS

C USA, COB Amanche, Iraq

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of June, 2007 at Cop Amanche Iraq

(b)(3), b(6)

*(Typed Name of Person Administering Oath)*

1st. USA

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES



CENTCOM

# 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 |
|---|---|---|---|
| COP Amanche | 20070608 | 2220 | |

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

8. ORGANIZATION OR ADDRESS
BCO 2/23 INF 4-2 ID

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

ON THE MORNING OF 20070608 I WAS PULLING SECURITY IN A BUILDING ON (b)(2)High WHERE WE WERE SET UP IN OUR BLOCKING POSITION TO STOP ALL NON COALITION FORCES FROM MOVING INTO OR OUT OF OUR OBJECTIVE AREA. AT ABOUT 0800 ISH I OBSERVED A BLUE AND WHITE VAN WITH AT LEAST 2 PERSONELL TRAVELING NORTH ABOUT (b)(2)High OF MY LOCATION IN THE EMPTY FIELD TO OUR (b)(2)High I MADE VISUAL, VERBAL ATTEMPTS TO GET THE VAN TO STOP. IT DID NOT. THE DRIVER LOOKED IN OUR DIRECTION AND CONTINUED TO MOVE (b)(2)High I CALLED OUT THAT THE VAN WAS NOT STOPPING TO EVERY ONE ON (b)(2)High I THEN MADE MORE VERBAL COMMANDS FOR THE VAN TO STOP IT DID NOT. I SHOWED INTENT TO USE MY WEAPON. THE DRIVER LOOKED RIGHT IN MY DIRECTION AND THEN CONTINUED TO DRIVE (b)(2)High I THEN CALLED OUT THAT I WAS GOING TO FIRE A WARNING SHOT (b)(2)High IN FRONT OF THE VAN. THEN I EXECUTED WITHOUT HESITATION. THE VAN STOPED IMMIDIATELY. STOOD STILL FOR ABOUT 15-20 SECONDS. I WAS THEN VERBALLY COMMANDING AND POINTING THE VAN TO TURN AROUND.

| 10. EXHIBIT | (b)(3), b(6) | N MAKING STATEMENT | PAGE 1 OF 3 PAGES |
|---|---|---|---|

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

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

STATEMENT OF (b)(3), b(6) TAKEN AT COP AMANCHES DATED 20070608

9. STATEMENT *(Continued)*

THE VAN THEN STARTED TO MOVE (b)(2)High AGAIN. I FIRED ANOTHER WARNING SHOT (b)(2)High INFRONT OF THE VAN. THE DRIVER IMEDIATLY STOPED AGAIN. I CONTINUED TO VERBALY COMMAND THE VAN TO TURN AROUND AND VISUALLY AS WELL. THIS TIME 5 SECONDS WENT PAST AND THE DRIVER THEN STARTED TO MOVE NORTH AGAIN. I FIRED ONE MORE WARNING SHOT (b)(2)High INFRONT OF THE VAN. THE VAN STOPED. I CALLED OUT TO EVERYONE ON (b)(2)High THAT THE VAN STOPED AND MIDSENTANCE I SAW A FLASH THEN A POP COME FROM THE DRIVERS WINDOW. I DUCTED BEHIND THE WALL THEN AQUIRED THE VAN (b)(2)High (b)(2)High WHEN I SAW A QUICK BURST OF FLASHES AND POPS COME FROM THE MIDDLE WINDOW OF THE VAN. AT THAT TIME I CALLED OUT THAT THE VAN WAS SHOOTING AT US AND AT THE EXACT SAME TIME I OPEND FIRE ON THE MIDDLE WINDOW AND FRONT WINDOW OF THE VAN WHERE THE FLASHES ORIGINATED FROM. AFTER I ENGAGED THE VAN. I WITNESSED MORE MOVEMENT AND A SERIES OF MORE FLASHES AND POPS COMING FROM THE MIDDLE WINDOW OF THE VAN. AT THIS TIME (b)(2)High WAS ENGAGEING THE VAN AS WELL. I FIRED INTO THE AREAS OF THE FLASHES FOR ABOUT 30 SECONDS UNTILL I SAW NO MORE FLASHES. AND THEN AT THAT TIME MY SQUAD LEADER CALLED OUT LEASE FIRE WHICH I THEN DID AND RELAYED TO MY TEAM ON THE ROOFTOP TO DO THE SAME.

NOTHING FOLLOWS

IN (b)(3), b(6) N MAKING STATEMENT

PAGE 2 OF 3 PAGES

PAGE 2, DA FORM 2823, DEC 1998

APD PE v1.01

EOF w/1 LN DEATH & 2 LNs INJURED(B/2-23IN), 4-1ID, 8 JUN 07

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

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