

## EXECUTIVE SUMMARY

WHO: D/1-8 CAV, 2/2 ID

WHAT: Non-combatants killed in combat operations

WHEN: 22 August 7

WHERE: Muhalla, (b)(2) New Baghdad

CONDOLLENCE P ENTS: Approved by BDE Cdr. Payment pending.

### 1. Summary of Events.

On 22 August 2007, D/1-8 CAV was conducting (b)(2)High patrol in (b)(2)High, (b)(6). At 2232, SSG (b)(3),(b)(6) saw a military-aged man running (b)(2)High holding what appeared to be an AK-47. SSG (b)(3),(b)(6) and SPC (b)(3),(b)(6) dismounted their (b)(2)High and shouted for the man to stop and put his weapon down. The man continued running past SSG (b)(3),(b)(6) position and into a palm grove.

SSG (b)(3),(b)(6) believed that the man was running towards the (b)(2)High (#B14) at the intersection of (b)(2)High and (b)(2)High. This area had a history of EFP and SAF activity. SSG (b)(3),(b)(6) and SPC (b)(3),(b)(6) both (b)(2)High but the man continued to run. SSG (b)(3),(b)(6) and SPC (b)(3),(b)(6) then fired disabling shots at the man. At the same time, SPC (b)(3),(b)(6), the B14 commander, noticed the man running towards his (b)(2)High and ordered his gunner to open fire. SPC (b)(3),(b)(6), the B14 gunner, fired at the man with (b)(2)High the weapon jammed. SPC (b)(3),(b)(6) then successfully engaged the man with three (b)(2)High rounds from the (b)(2)High gun patrol attempted to provide aid, but the man was dead.

Iraqi Police were called to the scene and retrieved the man's body. The body was taken to Mustang JSS. A search for the weapon began, but one of the patrol members began experiencing medical issues. 1LT (b)(3),(b)(6), the patrol leader, ordered the platoon back to FOB Loyalty before the weapon could be found. The IPs later identified the individual as (b)(6) who was reputed to have a long history of (b)(6).

2. Findings (summarized). The IO determined that the patrol was justified in using deadly force as the (b)(6) man was running towards B14 holding what appeared to be an AK-47.

### 3. Recommendations.

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

b. BCT Cdr concurred with the IO's findings and recommendations.