

UNCLASSIFIED

Pages 1 through 2 redacted for the following reasons:

Nonresponsive, (b)(2)High, (b)(5), (b)(3)(b)(6)

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UNCLASSIFIED

Nonresponsive

3/8/2007



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BRIGADE COMBAT TEAM
1ST CAVALRY DIVISION
CAMP TAJI, IRAQ APO AE 09378

REPLY TO
ATTENTION OF:

AFVA-1BDE-CDR

12 February 2007

MEMORANDUM FOR Investigating Officer (1LT)(3).(b)(), E FSC, 2-8 CAV, 1CD, Camp Taji, Iraq APO AE 09378

SUBJECT: Appointment as AR 15-6 Investigating Officer (1/1-063)

1. You are hereby appointed as an investigating officer pursuant to AR 15-6 (Procedures for Investigating Officers and Boards of Officers) to conduct an informal investigation into the death of a local national child 23 January 2007 near Checkpoint 114 at the intersection of (b)(2)High. This is your primary duty until properly relieved. Your report will include a complete summary of the facts and circumstances of the incident, including:

- a. The makeup of the affected patrol;
- b. A site analysis of the area, including a description of the intersection, any overwatch or surveillance from a nearby checkpoint or other location, and recent enemy activity in the area.
- c. Actions taken by patrol members after contact, including but not limited to react to contact, first aid, and MEDEVAC;
- d. Cause of death of the local national;
- e. Any other tactics, techniques, and procedures relevant to the incident;
- f. You will include a detailed sketch of the incident site, including the location of the (b)(2)High, the trigger man, and the local national child.

2. You may speak with any and all individuals you believe have information pertinent to your investigation. All witness statements will be sworn if possible and recorded on DA Form 2823. If circumstances preclude you from obtaining a sworn statement, you will summarize the witness's statement in a Memorandum for Record and attest to the accuracy of your summary.

3. You will obtain a legal briefing from the Brigade Judge Advocate prior to conducting your investigation. You should also familiarize yourself with the provisions of AR 15-6 and the Guide for Informal Investigations. Once your investigation is complete, you will make recommendations consistent with your findings.

AFVA-1BDE-CDR

SUBJECT: Appointment as AR 15-6 Investigating Officer (1/1-063)

4. If, in the course of your investigation, you come to suspect that an individual may be criminally responsible, you will advise that individual of his or her rights under Article 31 of the UCMJ using DA Form 3881.
5. If, in the course of your investigation, you find it necessary to evaluate the performance, professionalism, or conduct of a person senior to you, contact the Brigade Judge Advocate before proceeding.
6. Your report, together with all evidence marked as exhibits, will be submitted to the Brigade Judge Advocate on DA Form 1574 for legal review no later than 17 February 2007. Requests for extensions of this suspense will be submitted to the undersigned through the Brigade Judge Advocate in writing.
7. You may find the relevant forms and regulations for this investigation on the SJA page of the 1BCT CAVNET.
8. POC for this memorandum is MAJ (b)(3),(b)(6) at 242-6295.

FOR THE COMMANDER:

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

MAJ, AG
Adjutant

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DEPARTMENT OF THE ARMY
C COMPANY, 2ND BATTALION, 8TH CAVALRY REGIMENT
1ST BRIGADE COMBAT TEAM, 1ST CAVALRY DIVISION
CAMP TAJI, IRAQ APO AE 09378



AFVA-2-8-CAV-E FSC

16 February 2007

MEMORANDUM THRU Commander, 2nd Battalion, 8th Cavalry, 1st Cavalry Division, Camp Taji, Iraq APO AE 09378

FOR Commander, 1st Brigade Combat Team, 1st Cavalry Division, Camp Taji, Iraq APO AE 09378

SUBJECT: AR 15-6 Investigating Officer concerning the death of a local national child (1/1-063)

1. On 12 February 2007, I was appointed as the AR 15-6 Investigating Officer (IO) for the death of a local national child on (b)(2)High near Checkpoint 114 involving C Co, 2-8 CAV and one local national. I have conducted a thorough investigation of the circumstances surrounding this accident. My observations, conclusions, and recommendations are provided in the following format: facts, findings, and recommendations.

2. FACTS: I have examined all evidence gathered in this investigation as presented in TAB 5 and 8 of this packet. I have questioned the relevant witnesses in person and submitted statements as evidence. The facts in this case are as follows:

a. On 23 January 07, at 0931 along (b)(2)High unknown enemy personnel detonated an IED while two (b)(2)High moved north as part of a route security patrol at (b)(2)High. The IED detonated on the west side of (b)(2)High and hit the first vehicle (Cobra 12) in the convoy. Cobra 3 driver received a deep thigh bruise and the Tank commander broke his nose. (b)(2)High

(b)(2)High While the patrol was conducting recovery on the damaged (b)(2)High they received small arms fire from the west side of (b)(2)High. Cobra 3 used (b)(2)High to suppress the enemy while the infantry (Cobra Green) cleared the area. The dismounts cleared the west side of (b)(2)High and found only command wire and the (b)(2)High which was approximately (b)(2)High from the blast site. EOD assessed the IED as 100lbs of homemade explosive detonated in a previous IED hole. This IED left a crater (b)(2)High wide, (b)(2)High long and (b)(2)High deep on (b)(2)High

b. On 23 January 07, at 1040 along (b)(2)High an IED strike occurred on a (b)(2)High that was moving north in response to the previous IED strike that damaged a (b)(2)High and injured 2 Soldiers on (b)(2)High. The patrol did not positively identify the triggerman therefore did not return fire. They continued movement north with recovery assets to assist the (b)(2)High (See TAB 5 and TAB 8).

- c. On 23 January 07, at approximately 1140hrs Cobra Green platoon with 4 x (b)(2)High departed Camp Taji to evacuate casualties from (b)(2)High (Cobra 12) that was hit by the IED on (b)(2)High. The patrol arrived to the blast site without enemy contact. While conducting recovery and CASEVAC operations the patrol received small arms fire. Cobra 12 engaged suspected AIF vicinity the wood line directly west of the blast site. The patrol used (b)(2)High to engage suspected enemy and conduct clearing operations of suspected AIF vicinity the wood line west of the blast site. Once the casualties were evacuated from the IED site, Cobra green platoon continued to conduct route security and escort other recovery assets as needed. This recovery mission lasted approximately 14 hours. During that time no Iraqi civilians came to the patrol or the recovery operations to make a claim. (See TAB 5, Sworn statements)
 - d. On 24 January 07, CPT (b)(3),(b)(6) (Cobra 6) while conducting the Nahia Meeting at the Karkh Water Treatment Plant (KWTP) was approached by a local national claiming that a local national child had been killed on 23 January by a gunshot to the head. After receiving that information Cobra 6 conducted a dismounted patrol on (b)(2)High. The patrol found command wire west of (b)(2)High that lead to the IED crater. At that location CPT (b)(3),(b)(6) met with family members and neighbors, the family gave him the name of the child (b)(6) (b)(6), (b)(6) years old, and her father, (b)(6) and stated that he worked at the (b)(6). (See TAB 5 Sworn Statements and TAB 8 Supporting Documentation)
 - e. On 27 January 2007, during the Qada meeting, (b)(6) provided information and documents concerning the death of his child. (b)(6) was (b)(6) years old and was buried in the cemetery at (b)(6) (b)(6) provided her death certificate. He also provided her birth certificate and ID (See Tab 8, Supporting Documents)
2. FINDINGS: After examining all evidence gathered in this investigation as displayed in TAB 5 and 8, the following findings correspond to their respective statement.
- a. I find that the make up of the affected patrols was Cobra Red. Consisting of two (b)(2)High conducting route security, Cobra Gold two (b)(2)High and one (b)(2)High conducting (b)(2)High and Cobra Green four (b)(2)High conducting (b)(2)High on (b)(2)High and (b)(2)High (b)(2)High
 - b. I find that there were no coalition check points or surveillance positions along (b)(2)High. This road is south of (b)(6) and is a known (b)(2)High IED hotspot location, there are some houses near the road on the southern portion of the road. As you move north the closest house is over (b)(2)High west of the road.
 - c. I find that after Cobra 34 (BFV) was hit by the IED on (b)(2)High the patrol continued mission with the recovery vehicle to assist (b)(2)High. The patrol did not identify the triggermen and did not return fire. Approximately one hour later Cobra Green platoon (SFC) (b)(3),(b)(6) departed Camp Taji IOT conduct (b)(2)High. While conducting (b)(2)High the patrol received small arms fire from the wood line west of (b)(2)High. The patrol engaged suspected AIF vicinity the wood line with (b)(2)High

AFVA-2-8-CAV-C

SUBJECT: Appointment as 15-6 Investigating Officer (1/1-063)

Dismounts found approximately 200 meters of command wire. SFC (b)(3), (b)(6) with his four (b)(2) High secured the two casualties. Upon completion of CASEVAC Cobra Green continued to patrol (b)(2) High and (b)(2) High. They traveled the (b)(2) High over 8 times in a 14 hour period without enemy contact or any LN reporting possible casualties.

- d. I find that at the Qada meeting on 27 January 2007, (b)(6) reported that (b)(6) a (b)(6) year old LN was killed by receiving a gunshot to the head, (b)(6) stated that she was already buried at (b)(6) cemetery
- e. Based on the information provided by (b)(6) his daughter was hit approximately (b)(2) High from the location where Cobra's patrol engaged with (b)(2) High. The tracer burnout rate for (b)(2) High. The maximum effective range of (b)(2) High. The exact location where (b)(6) was hit is uncertain, it would require additional assets to reach the site since is not close to a paved road. My assessment of the events is that the local national was killed by rounds that skipped off the ground from coalition firing at AIF on 23 January 2007.
3. RECOMMENDATIONS: After careful consideration of all the facts involved in this case, I have the following recommendation:

(b)(5)

AFVA-2-8-CAV-C

SUBJECT: Appointment as 15-6 Investigating Officer (1/1-063)

4. The point of contact for this memorandum is the undersigned at VOIP 242-6370 or by email at
(b)(3),(b)(6), (b)(2)High

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

1LT, AR
Investigating Officer

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by COL (b)(3),(b)(6)
(Appointing authority)

on 12 February 2007 (Date)
(Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at Camp Taji, Iraq at 0900
(Place) (Time)

on 13 February 2007 (Date)
(If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 0900 on 17 February 2007
(Time) (Date)
and completed findings and recommendations at 1200 on 17 February 2007
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

YES | NO^{1/} | NA^{2/}

- 1 Inclosures (para 3-15, AR 15-6)
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)
- a. The letter of appointment or a summary of oral appointment data?
- b. Copy of notice to respondent, if any? (See item 9, below)
- c. Other correspondence with respondent or counsel, if any?
- d. All other written communications to or from the appointing authority?
- e. Privacy Act Statements (Certificate, if statement provided orally)?
- f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?
- g. Information as to sessions of a formal board not included on page 1 of this report?
- h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?

(b)(2)High

FOOTNOTES: 1/ Explain all negative answers on an attached sheet.
2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

2	Exhibits (<i>para 3-16, AR 15-6</i>)	YES	NO ¹	NA ²
	a. Are all items offered (<i>whether or not received</i>) or considered as evidence individually numbered or lettered as exhibits and attached to this report?			
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?			
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?			
	d. Are copies, descriptions, or depictions (<i>if substituted for real or documentary evidence</i>) properly authenticated and is the location of the original evidence indicated?			
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (<i>para 3-6b, AR 15-6</i>)?			
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?			
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (<i>para 3-16d, AR 15-6</i>)?			
3	Was a quorum present when the board voted on findings and recommendations (<i>paras 4-1 and 5-2b, AR 15-6</i>)?			
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (<i>Chapter 5, AR 15-6</i>)				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (<i>para 5-3b, AR 15-6</i>)?			
5	Was a quorum present at every session of the board (<i>para 5-2b, AR 15-6</i>)?			
6	Was each absence of any member properly excused (<i>para 5-2a, AR 15-6</i>)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (<i>para 3-1, AR 15-6</i>)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (<i>para 5-2d, AR 15-6</i>)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (<i>Section II, Chapter 5, AR 15-6</i>)				
9	Notice to respondents (<i>para 5-5, AR 15-6</i>):			
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
	b. Was the date of delivery at least five working days prior to the first session of the board?			
	c. Does each letter of notification indicate –			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d. Was the respondent provided a copy of all unclassified documents in the case file?			
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (<i>or otherwise was absent during part of the proceedings</i>):			
	a. Was he properly notified (<i>para 5-5, AR 15-6</i>)?			
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (<i>para 5-4c, AR 15-6</i>)?			
11	Counsel (<i>para 5-6, AR 15-6</i>):			
	a. Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(If counsel is a lawyer, check here <input type="checkbox"/>)			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	c. If military counsel was requested but not made available, is a copy (<i>or, if oral, a summary</i>) of the request and the action taken on it included in the report (<i>para 5-6b, AR 15-6</i>)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (<i>para 5-7, AR 15-6</i>):			
	a. Was the challenge properly denied and by the appropriate officer?			
	b. Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (<i>para 5-8a, AR 15-6</i>):			
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
	b. Examine and object to the introduction of real and documentary evidence, including written statements?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument (<i>para 5-9, AR 15-6</i>)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (<i>para 5-8b, AR 15-6</i>)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (<i>para 5-11, AR 15-6</i>)?			

(b)(2)High

FOOTNOTES: ¹ Explain all negative answers on an attached sheet.
² Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:

SEE ATTACHED MEMORANDUM

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

SEE ATTACHED MEMORANDUM

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

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

(Recorder)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

I ratify the appointment of the investigating officer.

I approve the "FACIS" and "FINDINGS" as modified by battalion Commander.

I approve recommendations: (b)(2)High

I remand the matter to the BCT Commander for appropriate action.

18 MAR 2007

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

JOSEPH F. FIL, JR
Major General, USA
Commanding

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: ACO 218CAU 1CD CP
2. DATE (YYYYMMDD): 20070216
3. TIME: 1430
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3),(b)(6)
6. SSN
7. GRADE/STATUS

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

On 23 Jan 07 My Platoon (CO 218CAU 4th PIT) was moving (b)(2)High with 4x (b)(2)High with 3 (b)(2)High 1x (b)(2)High we moved to the sight where the tank was hit by IED and had 3 guys that needed to be evacuated. I was moving (b)(2)High with my platoon along with Cobra 6. Once we got to the IED sight I secured the 3 casualties and moved back to the (b)(2)High with 2x (b)(2)High and one (b)(2)High Had no contact on (b)(2)High all day, I traveled (b)(2)High 8 or 9 times escorting all Recovery personnel to the IED sight. On 24 Jan at Kark water treatment plant a local National came in to talk to Cobra 6 and said that a (b)(6)yr kid was killed on the 23 Jan 07 by a (b)(2)High that was firing from (b)(2)High. The houses on (b)(2)High are over (b)(2)High from the rd. On the 24th after this person came up and said this kid had been killed we went to the place where this kid had been killed. We talked to a local national and he said he would go get the father of the child that was killed. He said he had to get in his car to go get the father because it was so far from (b)(2)High (b)(2)High we walked back from the mans house and

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)

It took us about 10 to 15 min to walk back to (b)(2)High
and that is when the man came back to (b)(2)High
with the father—Nothing follows

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

(b)(3),(b)(6)
(Signature of person making statement)

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

(b)(3),(b)(6)
Sgt (b)(3),(b)(6)
Avn 2-8 Cav Camp Taji TOC
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b)(3),(b)(6)
(b)(3),(b)(6)
(b)(3),(b)(6)
(Typed Name of Person Administering Oath)
Article 136 UCMJ AR 27 55
(Authority To Administer Oaths)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Taji, Iraq	2. DATE (YYYYMMDD) 2007/02/16	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 E 7	
8. ORGANIZATION OR ADDRESS C Co 2-8 CAV Camp Taji Iraq APO, AE 09348			

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

On 23 January I RP Camp Taji upon completion of a previous mission on (b)(2)High and went into Cobra Company CP and heard that one of their (b)(2)High had been hit by an IED on (b)(2)High and they were waiting for (b)(2)High and the Scouts to get ready for escort the (b)(2)High and I volunteered to go since my vehicles were already prepared and ready to go. SFC (3),(b)(6) and I went to battalion and redone my previous trip ticket IOT escort the (b)(2)High to recover the downed vehicle. Since I never been on (b)(2)High I had SFC (3),(b)(6) to BC my vehicle on to the IED blast site and I sat in the back until we arrived. The order of march was Cobra gold 34 was the lead (b)(2)High follow by the (b)(2)High and Gold 32 in the Rear. Gold 32 was stroke by an IED on the way out to recover the (b)(2)High so one on the patrol positively identify the trigger man there fore we did not returned fire or stop to cordon the area we kept going with the recovery to the downed vehicle. b(3),(b)(6)

----- Nothing Follows-----

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3),(b)(6)	PAGE 1 OF <u>2</u> 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 INDICATED.

9. STATEMENT (Continued)

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

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

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

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

AFFIDAVIT

I, SEC (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

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

WITN

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of Feb, 07 at Camp Taji

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

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

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

Article 136 UCMJ AR 27 55
(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

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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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: Camp Taji
2. DATE (YYYYMMDD): 20060216
3. TIME: 1200
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3),(b)(6)
6. SSN: (b)(3),(b)(6)
7. GRADE/STATUS: E-6
8. E FSC 2-8 CAV

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

During our convoy to (b)(2)High we were traveling on (b)(2)High when we heard a loud explosion. I told my driver, SPC (b)(3),(b)(6), to continue driving. The explosion came from our right rear. The neighborhood we were going through had people outside during the explosion. Shortly after going through the neighborhood our trail vehicle in the convoy radioed to the lead vehicle that it had been hit by an IED but (b)(2)High The area that the explosion came from was the open field before entering the neighborhood. I did not return fire nor did I hear or see any vehicles in the convoy return fire. (3)(b) SPC (b)(3),(b)(6) and (3)(b) PFC (b)(3),(b)(6) told me that they did not see any suspicious individuals near the area. NOTHING FOLLOWS

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

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 Camp Taji DATED 16 Feb 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) Statement

WITNESSES.

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of Feb, 07 at Camp Taji

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

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

SPC (b)(3),(b)(6)
EFSC 2/3 CAL ICD
ORGANIZATION OR ADDRESS

(b)(3),(b)(6)
EF Coe FSC 2-8 Cal
ORGANIZATION OR ADDRESS

(b)(3),(b)(6)
Article 136 UCMJ AR 27 55
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES