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)*.
PRINCIPAL 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 (b)(3), (b)(6)	2. DATE *(YYYYMMDD)* (b)(3), (b)(6)	3. TIME (b)(3), (b)(6)	4. FILE NUMBER
FOB MAREZ MOSUL, IRAQ	2006 07 22	2020	

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

8. ORGANIZATION OR ADDRESS (b)(3), (b)(6)
C co 1/17 INF FOB MAREZ

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

On 22 July 2006 at 0730 on an unnamed alleyway in the Al Farook neighborhood our platoon was on a dismounted patrol. As we were moving down the road 3rd squad was on the left side of the road ahead of my squad. ~~Bravo~~ Alpha (b)(3), (b)(6) team was in the lead and I was in the lead of ~~Alpha~~ Bravo (b)(3), (b)(6) team to the rear of formation. Following me was PFC (b)(3), (b)(6) then SGT (b)(3), (b)(6) and then PFC (b)(3), (b)(6) Once we were approximately 400 meters down the road from (b)(2)High (b)(3), (b)(6) a red vehicle turned onto our alleyway. I only noticed the car for a second before turning around and continuing foreward. A few seconds later I heard PFC (b)(3), (b)(6) shouting STOP then Augauf. I was crossing another alleyway and couldn't see (b)(3), (b)(6) but heard him yell STOP-Augauf again. I then heard the warning burst (b)(3), (b)(6) shot in the air. I then turned around and saw SGT (b)(3), (b)(6) shoot in the air as well. I then brought my weapon to the ready just as Bautista shot (b)(3), (b)(6) another shot into the hood. The car continued to move so (b)(3), (b)(6) I engaged the driver and the engine. When the car finally stopped it was approximately 30 meters away from me resting in between PFC (b)(3), (b)(6) and SGT (b)(3), (b)(6) We then picked up security and began SSE. We were cautious when SSG (b)(3), (b)(6) and I first approached the car. It was a (b)(6) with 1 male inside on a deserted street. It seemed very suspicious to me. After we removed the body from the car. I searched the driver and the car. We found nothing that was taken for SSE.

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

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

STATEMENT OF PFC (b)(3), (b)(6) TAKEN AT FOB MAREZ DATED 2006 07 23

9. STATEMENT *(Continued)*

Q: Why was the (b)(6) significant?

A: It had been put out on the BOLO List just prior to our patrol.

Q: What was unusual about the empty street?

A: The street we we patroling on had numerous shops and tea huts that I have seen open nearly everytime we have been in that area at that time.

Q: When was the last time you received ROE training?

A: We received ROE training just prior to our mission. Lt (b)(3), (b)(6) went over the distances, (b)(2)High

Q: During SSE was there anything unusual in the vehicle?

A: We found various tools and cardboard peieces in the trunk. The rest of the vehicle looked as if it had been stripped out because there had been oil spilt inside the vehicle. Nothing else seemed unusual about the car. (b)(3), (b)(6)

Nothing Follows

(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)

005419

STATEMENT OF PFC (b)(3), (b)(6) TAKEN AT FOB MAREZ DATED 2006 07 23

9. STATEMENT *(Continued)*

Nothing Follows

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

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

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

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

AFFIDAVIT

(b)(3), (b)(6) PFC (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE (b)(3), (b)(6) 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 INFLUE

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

WITNESSES:

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

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

C Co/1-17 IN

ORGANIZATION OR ADDRESS

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

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

C Co 1/17 INF

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of JULY, 06 at FOB MAREZ

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

INVESTIGATING OFFICER

(Authority To Administer Oaths)

INITIA (b)(3), (b)(6) ON MAKING STATEMENT

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

SWORN STATEMENT

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1. LOCATION	2. DATE *(YYYYMMD*	3. TIME	4. FILE NUMBER
FOB MARez MOSUL, IRAQ (b)(3), (b)(6)	2007 07 23 (b)(3), (b)(6)	2322 (b)(3), (b)(6)	

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

8. ORGANIZATION OR ADDRESS
C CO 1/17 2ND PLT. (b)(3), (b)(6)

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

ON JULY 22 AT 0730 HRS. 2ND PLATOON WAS TASKED TO DO (b)(3), (b)(6) A DISMOUNTED PATROL. I CANNOT RECALL THE EXACT AREA, BUT I DO REMEMBER IT WAS NEAR BAB AL TOP POLICE STATION. OUR PATROL BEGAN ON A USUALLY BUSY STREET AND NOT TOO LONG AFTER OUR PRESENCE WAS MADE THE STREET WAS DESERTED. AFTER BEING HERE FOR AS LONG AS I HAVE BEEN, I KNOW THIS IS NOT A GOOD THING BUT I JUST KEPT MY EYES OPEN AND CONTINUED WITH THE MISSION. AS WE GOT ABOUT 200 METERS INTO THE STREET, I SAW A (b)(6) TURN INTO THE STREET AND MOVE TOWARD US. SINCE I WAS THE LAST MAN IN THE MOVEMENT IT WAS MY JOB TO STOP THE VEHICLE. WHEN THE OPEL WAS (b)(2)High AWAY, I WALKED ONTO THE MIDDLE OR THE STREET AND MADE SURE THE DRIVER COULD SEE ME. I THEN RAISED MY RIGHT HAND WITH A FIST AND MOTIONED THE DRIVER TO STOP. AT (b)(2)High I STARTED TO YELL "STOP" IN ARABIC. WHEN THE DRIVER DIDNT SLOW DOWN I (b)(2)High AFTER THIS THE DRIVER ATTEMPTED TO DRIVE AROUND ME AND KEEP DRIVING, MY TEAM LEADER FIRED (b)(3), (b)(6) ONE ROUND INTO THE HOOD. THE DRIVER DID NOT GIVE NO NOTION OR STOPPING AND THIS IS WHEN WE HAD TO TAKE EVASIVE ACTION.

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

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ 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 PFC (b)(3), (b)(6) TAKEN AT FOB MAREZ (b)(3), (b)(6) DATED 2006 07 23 (b)(3), (b)(6)

9. STATEMENT *(Continued)*

Q: DID YOU MAKE EYE CONTACT WITH THE DRIVER OF THE CAR?

A: YES, HE LOOKED RIGHT AT ME WHILE DRIVING TOWARD ME.

Q: DID YOU FIRE LETHAL FIRES?

A: NO, I ONLY FIRED THE (b)(2)High AND AFTER HE GOT PASSED ME WAS WHEN WE HAD TO TAKE HIM DOWN.

Q: WHAT WAS THE THREAT YOU FELT FROM THE (b)(6)?

A: I REMEMBERED THAT A (b)(6) WAS IN THE BOLO LIST AND WAS THREATENED BY THE FACT THAT IT COULD HAVE BEEN A SUICIDE BOMBER.

Q: WHEN WAS THE LAST TIME YOU RECIEVED ROE TRAINING?

A: EVERY TIME MY SQUAD HAS MEETINGS, WHICH IS EVERY NIGHT WE ARE UPDATED WITH CHANGES TO THE ROE AND TOLD ABOUT RECENT ENCOUNTERS BY OTHER UNITS. WE ALSO ARE REMINDED OF OUR RULES OF ENGAGEMENT BEFORE EVERY MISSION BY OUR PLATOON LEADER.

(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) (b)(3), (b)(6) PAGE 2 OF 3 PAGES

STATEMENT OF PFC (b)(3), (b)(6) TAKEN AT FOB MAREZ DATED 2006 07 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 B[illegible] ON PAGE [illegible]. 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 [illegible]

(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 23 day of JULY, 06 at FOB MAREZ

(b)(3), (b)(6)
(Signature of Person Administering Oath)

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

INVESTIGATING OFFICER
(Authority To Administer Oaths)

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