



UNITED STATES MARINE CORPS

MULTI-NATIONAL FORCE-WEST
UNIT 73920
FPO AE 09509-3920

IN REPLY REFER TO:
5800
SJA
2 Feb 06

From: Staff Judge Advocate, Multi-National Force-West
To: Staff Judge Advocate, Multi-National Corps-Iraq
SUBJ: JUDGE ADVOCATE WEEKLY ADMINISTRATIVE LAW REPORT

1. This memorandum is the Judge Advocate Activities Report for all subordinate units from 25 January 2006 through 1 February 2006.

a. (U) Administrative Law:

(1)(U) Pending investigations: **99**

IIMEF(FWD)

(0)

2dMarDiv:

(58)

- (a) Date of incident: 14 Dec 05
- (b) Unit: TF 1-172 AR
- (c) Brief description: EOF in Ta'mim where vehicle caught fire with 1 NKIA
- (d) Individual(s) involved: HHC, 1-172 AR (Bn QRF)
- (e) Investigating Officer: 2LT (b)(3)(b)(6)
- (f) Appointing Authority: LTC (b)(3), b(6)
- (g) Suspense date: 14 Jan 05
- (h) Current status: Pending 2 BCT OCJA legal review

- (a) Date of incident: 21 Dec 05
- (b) Unit: 28th MP Co
- (c) Brief description: EOF on MSR Mobile by trooper Gate, 2 NKIA
- (d) Individual(s) involved: 1st th P Co
- (e) Investigating Officer: 2LT (b)(3)(b)(6)
- (f) Appointing Authority: CPT (b)(3)(b)(6)
- (g) Suspense date: N/A
- (h) Current status: Pending Cdr, 2BCT endorsement

non responsive

non responsive

- (a) Date of incident: 31 Dec 05
- (b) Unit: TF 1-172 AR
- (c) Brief description: EOF on Rte (b)(2) High where car i d hand & arm signals, pyro, and warning shots. ling fire at (b)(2) High led to 1 NKIA
- (d) Individual(s) involved: B Co, 1-109 IN
- (e) Investigating Officer: 1LT (b)(3)(b)(6)
- (f) Appointing Authority: LTC (b)(3), b(6)
- (g) Suspense date: 31 Jan 06
- (h) Current status: Pending IO's report

- (a) Date of incident: 12 Jan 06
- (b) Unit: TF 1-506 IN
- (c) Brief description: EOF by OP (b)(2) High disabling fire led to 2 NKIA
- (d) Individual(s) involved: B
- (e) Investigating Officer: 2LT (b)(3)(b)(6)
- (f) Appointing Authority: LTC (b)(3)(b)(6)
- (g) Suspense date: 12 Feb 06
- (h) Current status: Pending IO's report

- (a) Date of incident: 26 Sept 05
- (b) Unit: 2/6
- (c) Brief description: NB death due to GSW to the head
- (d) Individual(s) involved: 2/6
- (e) Investigating Officer: Capt (b)(3)(b)(6) NCIS
- (f) Appointing Authority: BN CO
- (g) Suspense date: 26 Oct 05
- (h) Current status: Pending IO and NCIS final report (tox). NCIS SA (b)(3)(b)(6)

- (a) Date of incident: 1 Nov 05
- (b) Unit: 3dBn, 7thMar
- (c) Brief description: EOF in central Ramadi on 2 vehicles resulting in 2 civilian KIA
- (d) Individual(s) involved: Lim ar
- (e) Investigating Officer: Maj (b)(3)(b)(6)
- (f) Appointing Authority: LtCol (b)(3)(b)(6)
- (g) Suspense date: ASAP
- (h) Current status: Pending Bn Cdr's endorsement

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- (a) Date of incident: 8 Nov 05
- (b) Unit: 3dBn, 7thMar
- (c) Brief description: MAM left bag by Govt Center and shot as he ran away
- (d) Individual(s) involved: Kilo Co., 3dBn, 7thMar
- (e) Investigating Officer: Maj [REDACTED]
- (f) Appointing Authority: LtCol (b)(3)(b)(6)
- (g) Suspense date: N/A
- (h) Current status: Pending Cdr, 2BCT endorsement

non responsive

non responsive

- (a) Date of incident: 16 Jan 06
- (b) Unit: 3d Bn, 7th Marines & 3-2-1 IA
- (c) Brief description: EOF by OP Horea, MAM in wheelchair killed after he ignored all non-lethal EOF and continued to approach the OP
- (d) Individual(s) involved: Ki [redacted] dBn, 7thMar
- (e) Investigating Officer: Lt [redacted] (b)(3), b(6) appointed 17 Jan 06
- (f) Appointing Authority: LtCol [redacted] (b)(3), b(6)
- (g) Suspense date: 16 Feb 06
- (h) Current status: Pending 3/7 MAR JA legal review

nonresponsive

- (a) Date of incident: 3 Dec 05
- (b) Unit: 1st LAR
- (c) Brief description: PI into EOF Incident resulting in 1 IZ KIA and 2 IZ WIA
- (d) Individual(s) involved: 1st [redacted]
- (e) Investigating Officer: Capt [redacted] (b)(3)(b)(6)
- (f) Appointing Authority: CO, 1st [redacted]
- (g) Suspense date: 13 Dec 05
- (h) Current status: Completed, Final Report

non responsive

- (a) Date of incident: 19 Dec 05
- (b) Unit: 3/1
- (c) Brief description: Escalation of Force PI of 19 Dec 05 w/ 1 NKIA
- (d) Individual(s) involved: 3/1

- (e) Investigating Officer: 1stLt (b)(3), b(6)
- (f) Appointing Authority: CO, 3/1
- (g) Suspense date: 29 Dec 05
- (h) Current status: Pending Div CG review and endorsement

non responsive

- (b) Unit: 3/1
- (c) Brief description: Escalation of Force PI of 25 Dec 05 w/ 1 NKIA
- (d) Individual(s) involved: 3/1
- (e) Investigating Officer: 2ndLt (b)(3)(b)(6)
- (f) Appointing Authority: CO, 3/1
- (g) Suspense date: 4 Jan 06
- (h) Current status: Pending 2dMarDiv SJA Review

non responsive

non responsive

non responsive

- (a) Date of incident: 19 Jan 06
- (b) Unit: 1st LAR
- (c) Brief description: EOF PI of 19 Jan 06 w/2 NWIA and 1 NKIA
- (d) Individual(s) involved: 1st
- (e) Investigating Officer: Capt
- (f) Appointing Authority: CO, 1^s
- (g) Suspense date: 9 Feb 06
- (h) Current status: Pending Delivery to Division

- (a) Date of incident: 22 Jan 06
- (b) Unit: 22 MEU
- (c) Brief description: EOF in HIT with 1 NKIA
- (d) Individual(s) involved: 22 MEU
- (e) Investigating Officer: 1stLt
- (f) Appointing Authority: CO, 22 MEU
- (g) Suspense date: 22 Feb 06
- (h) Current status: Pending CG, MNF-W review and endorsement

non responsive

non responsive

- (a) Date of incident: 16 Nov 05
- (b) Unit: TF 2-69 AR
- (c) Brief description: EOF on Bongo truck on Rte (b)(2) High ending in 1 NKIA
- (d) Individual(s) involved: A
- (e) Investigating Officer: CP
- (f) Appointing Authority: LTC (b)(3)(b)(6)
- (g) Suspense date: 16 Dec 05
- (h) Current status: Complete, Final Report

- (a) Date of incident: 25 Nov 05
- (b) Unit: TF 2-69 AR
- (c) Brief description: EOF on MSR (b)(2) High , 1 NKIA mistaken for IED emplacer
- (d) Individual(s) involved: B
- (e) Investigating Officer: 1LT (b)(3)(b)(6)
- (f) Appointing Authority: LTC (b)(3)(b)(6)
- (g) Suspense date: N/A
- (h) Current status: Forwarded to 2d MarDiv OSJA

non responsive

- (a) Date of incident: 28 Dec 2005
- (b) Unit: 2/6
- (c) Brief description: EOF 2 CWIA,1 CKIA
- (d) Individual(s) involved: Co E
- (e) Investigating Officer: Capt (b)(3)(b)(6)
- (f) Appointing Authority: Bn CO
- (g) Suspense date: 25 Jan 2006
- (h) Current status: With RCT XO

- (a) Date of incident: 12 Dec 2005
- (b) Unit: 2/6

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- (c) Brief description: EOF 1 KIA Doctor No SigAct
- (d) Individual(s) involved: FAST
- (e) Investigating Officer: Capt (b)(3)(b)(6)
- (f) Appointing Authority: Bn CO
- (g) Suspense date: 12 Jan 2006
- (h) Current status: With RCT XO

non responsive

non responsive

(a) Date of incident: 28 Jan 2006 (New Case)

(b) Unit: 2/6

(c) Brief description: MVA 1 KIA NBI

(d) Individual(s) involved: 2/6

(e) Investigating Officer: Capt (b)(3)(b)(6)

(f) Appointing Authority: Bn CO

(g) Suspense date: 21 Feb 2006

(h) Current status: Pending IO Report.

non responsive

non responsive

2d MLG(FWD):
(21)

- (a) Date of incident: 20 December 2005
- (b) Unit: CLB-2
- (c) Brief description: CI, EOF W/Iraqi Civilian
- (d) Individual(s) involved: Not identified

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(e) Investigating Officer: CAPT [REDACTED] (b)(3)(b)(6)

(f) Appointing Authority: LtCol [REDACTED] (b)(3), b(6)

(g) Suspense date: 19 January 2006

(h) Current status: Complete, Final Report

non responsive

non responsive

non responsive

- (a) Date of incident: 4 January 2006
- (b) Unit: 8th ESB
- (c) Brief description: CI, into death of Iraqi Civilian
- (d) Individual(s) involved: Not identified
- (e) Investigating Officer: 1stLt [REDACTED]
- (f) Appointing Authority: LtCol [REDACTED] (b)(3)(b)(6)
- (g) Suspense date: 3 February 2006
- (h) Current status: Pending Investigation

non responsive

non responsive

2dMAW(FWD) :

(0)

IIMHG :

(2)

non responsive

(0)

4th ID :

(0)

POSSIBLE LAW OF ARMED CONFLICT (LOAC) VIOLATIONS: (TOTAL 18)

2dMarDiv:
(18)

non responsive

non responsive

non responsive

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(g) Suspense date: 25 Dec 05

(h) Current status: Complete, Final Report

non responsive

(h) Current status: Complete, Final Report

(a) Date of incident: 26 Jun 05.

(b) Unit: 3dBn, 25thMar.

(c) Brief description: Detainee Death - 3dBn, 25thMar and ISF were conducting a SVCP South of Haditha Dam, when a vehicle with 4 MAMs was stopped. On individual admitted to being Syrian. During his detainment, he broke from the grasp of the Marine detaining him and fled. Voice commands were given to stop, but were ignored. At which point the fleeing MAM was engaged with deadly force and killed.

(d) Individual(s) 3dBn, 25thMar

(e) Investigating Officer: Capt (b)(3)(b)(6)

(f) Appointing Authority: CO, 3

(g) Suspense date: 26 July 05.

(h) Current status: Closed. NCIS has completed the investigation and determined legitimate use of deadly force by 3/25 Marines. Non-related IZ on IZ abuse identified and covered by a suspected LOAC report that was forwarded. CG endorsed 9 Jan 06. Complete, Final Report

nn responsive

4th ID:

(0)

2dMPBn, IIMEF(FWD):

(0)

2. POC for this report is Sgt (b)(3)(b)(6) at DSN: (b)(3)(b)(6)

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