



UNITED STATES MARINE CORPS

MULTI NATIONAL FORCE - WEST
I MARINE EXPEDITIONARY FORCE (FORWARD)
UIC 42510
FPO AP 96426-2510

IN REPLY REFER TO:

(b)(2)High

MAY 02 2006

THIRD ENDORSEMENT on 1stLt (b)(3), (b)(6) PrelimInq 5830 Legal
of 27 Mar 06

From: Commanding General, Multi National Force-West, I Marine
Expeditionary Force (Forward)

To: Staff Judge Advocate (File)

Subj: PRELIMINARY INQUIRY INTO THE ESCALATION OF FORCE INCIDENT
THAT OCCURRED IN THE VICINITY OF GRID (b)(2)High
INVOLVING MARINES OF COMPANY F, 2D BATTALION, 6TH MARINES
ON 25 MARCH 2006 RESULTING IN THE DEATH OF ONE IRAQI MAN

1. I concur with the Investigating Officer's findings and recommendations as endorsed by the Commanding Officer, Regimental Combat Team-5. I specifically find that Marines involved acted within the rules of engagement and escalation of force procedures.

2. This incident is the direct result of the erratic and unexplained threatening behavior of the Iraqi driver. No further investigation is warranted.

ROBERT B. NELLER
Deputy Commanding General

Copy to:

CO, RCT-5 (end only)

CO, 2nd Bn, 6th Mar (end only)

IO, 1stLt (b)(3), (b)(6) (end only)

MNC-I SJA

MNC-I AT/FP

Files



UNITED STATES MARINE CORPS
REGIMENTAL COMBAT TEAM-5
I MARINE EXPEDITIONARY FORCE (FWD)
UNIT 40310
FPO AP 96426-0310

(b)(2)High

APR 10 2006

SECOND ENDORSEMENT on 1stLt (b)(3), (b)(6) PrelInv ltr 5830 Legal of 27 Mar 06

From: Commanding Officer
To: Commanding General, Multi-National Force West

Subj: PRELIMINARY INQUIRY INTO FACTS AND CIRCUMSTANCES SURROUNDING THE
ESCALATION OF FORCE INCIDENT THAT OCCURRED IN THE VICINITY OF GRIFFIN (b)(2)High
(b)(2)High INVOLVING MARINES OF COMPANY F, 2D BATTALION, 6TH
MARINES ON 25 MARCH 2006

1. Readdressed and forwarded. The subject line has been changed.
- 2 I have reviewed the preliminary inquiry regarding the facts and circumstances that led to the death of (b)(6) I have concluded that the Marines' use of force in this case was justified, despite the tragic result.
3. At the time of the incident, the Marines involved were mindful of credible intelligence regarding multiple SVBIED threats in the city of (b)(6) For whatever reason, Mr. (b)(6) decided to leave the clearly marked flow of traffic and drive his vehicle directly toward the Marines who were providing cordon security. The cordon was sufficiently marked, and the Marines properly and rationally escalated their force in response to a perceived threat.
4. No further inquiry is required.

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

Copy to:
CO 2/6 (end only)
File



UNITED STATES MARINE CORPS
2D BATTALION, 6TH MARINES
REGIMENTAL COMBAT TEAM 5
I MARINE EXPEDITIONARY FORCE (FORWARD)
UNIT 73190
FPO AE 09509-3190

IN REPLY REFER TO:
(b)(2)High
27 Mar 06

FIRST ENDORSEMENT on First Lieutenant (b)(3), (b)(6) inv ltr 5830 dtd 27 Mar 06

From: Commanding Officer, 2d Battalion, 6th Marines
To: Commanding General, 1st Marine Division
Via: Commanding Officer, Regimental Combat Team 5

Subj: PRELIMINARY INQUIRY INTO THE ESCALATION OF FORCE INCIDENT THAT OCCURED
IN THE VICINITY OF GRID (b)(2)High ON 25 MARCH 2006, INVOLVING
MARINES OF COMPANY F, 2D BATTALION 6TH MARINES

1. I concur with facts, opinions, and recommendations of the investigating officer.

2. The Marines involved in this situation acted in accordance with established standard operating procedures and within rules of engagement because of a perceived threat on their established cordon. The operation they were participating in had two automotive stops on target; these stops were associated with SVBIED actions according to HUMINT reports. Additional, a SVBIED detonated one mile to the west of the incident the day prior. MSR (b)(2)High is a common attack area for SVBIEDs.

3. The Marines used all possible escalation of force steps before making kinetic engagement. The traffic control measures they had emplaced, which all other drivers on the road that morning had obeyed, were adequate and are not considered a proximate cause to this unfortunate event.

4. Expeditious condolence payment is recommended. Civil Affairs Officers familiar with the case have recommended a one-week waiting period due to family mourning, prior to making a payment. Payment should be made no earlier than 2 April 2006. Captain (b)(3), (b)(6), the Judge Advocate for 2d Battalion, 6th Marines, and 1st Battalion, 25th Marines can be reached at DSN (b)(2) and is the point of contact for condolence payment in this case.

5. No further investigation is recommended.

6. Point of contact concerning this matter is Captain (b)(3), (b)(6) at DSN (b)(2) (b)(2)

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

Copy to:
JA
Legal Officer
Files

007256



UNITED STATES MARINE CORPS
2D BATTALION, 6TH MARINES
REGIMENTAL COMBAT TEAM 5
Unit 73185
FPO AE 09509-3185

IN REPLY REFER TO:

(b)(2)High

27 Mar 06

SECRET - Unclassified upon removal of Enclosure (2)

From: First Lieutenant [redacted] (b)(3), (b)(6) USMC
To: Commanding Officer, 2d Battalion, 6th Marines
Subj: PRELIMINARY INQUIRY INTO THE ESCALATION OF FORCE INCIDENT THAT OCCURRED
IN THE VICINITY OF GRID [redacted] (b)(2)High ON 25 MARCH 2006, INVOLVING
MARINES OF COMPANY F, 2D BATTALION 6TH MARINES
Ref: (a) JAGINST 5800.7D (JAGMAN)
(b) FRAGO_183 [23 JUL 05 DTU] TO MNC-I OPORD 05-02
(c) FRAGO 388 [10 NOV 05 DTU] TO MNC-I OPORD 05-02
(d) 2D MARDIV FRAGO 0151-05 DTG 191845DJUL05
Encl: (1) Appointment Letter dtd 25 March 2006
(2) SIGACT dtd 25 March 2006
(3) Statement of Staff Sergeant [redacted] (b)(3), (b)(6) USMC
(4) Statement of Lance Corporal [redacted] (b)(3), (b)(6) USMC
(5) Statement of Lance Corporal [redacted] (b)(3), (b)(6) USMC
(6) Statement of Lance Corporal [redacted] (b)(3), (b)(6) USMC
(7) Scene Diagram

Preliminary Statement

1. Background. In accordance with the reference, I was appointed by enclosure (1) to conduct a Preliminary Inquiry into the facts and circumstances surrounding the escalation of force (EOF) that occurred in the vicinity of grid [redacted] (b)(2)High on 25 March 2006, involving Marines of Company F, 2d Battalion, 6th Marines, and resulting in the death of one Iraqi civilian. All social security numbers were acquired by means of consulting battalion administrative records. Enclosures (1) through (7) are provided as supporting documentation.

2. Circumstances

a. In the morning of 25 March 2006, Marines from 1st Platoon, Company F were participating in Operation [redacted] (b)(2)High. Prior to the operation, there had been seven suicide vehicle-borne improvised explosive devices (SVBIEDs) used by the enemy against Coalition Forces. In the beginning of March, the Company had received an accurate intelligence report of an SVBIED attack on Coalition forces. On the morning of the 25 March, the Company had received a warning from the Battalion S-2 that there were possibly other SVBIEDs looking for targets of opportunity within the city. 1st platoon was tasked with rooftop clearing in Zone 53 and providing security on Route [redacted] (b)(2)High for Operation [redacted] (b)(2)High. In order to accomplish their mission, the platoon set a cordon in the vicinity of grid [redacted] (b)(2)High. In order to block traffic the Marines emplaced orange cones on the eastbound lane of Route [redacted] (b)(2)High. The cones were emplaced in a manner that allowed for civilian traffic to use [redacted] (b)(2)High but kept them at a distance of approximately 50-60 meters away from Coalition Forces.

007257

SUBJ: PRELIMINARY INQUIRY INTO THE ESCALATION OF FORCE INCIDENT THAT OCCURRED IN THE VIC OF GRID (b)(2)High ON 25 MARCH 2006, INVOLVING MARINES OF COMPANY F, 2D BATTALION 6TH MARINES

b. 1st Squad, 1st Platoon was responsible for providing security for the Operation. Lance Corporals (b)(3), (b)(6) were tasked with security of the northern portion of the cordon in the vicinity of grid (b)(2)High (b)(2)High, while the remainder of the squad assisted in clearing the rooftop. At approximately 0750, a (b)(6) 4-door, late (b)(6), license plate number (b)(6), driven by a single Iraqi male drove over the median in an attempt to go around the cones and accelerated toward the cordon. This vehicle was the only vehicle not to comply with the cones or to follow the flow of traffic. All previous traffic had either chosen to follow the direction of the cones or to make a U-turn and use an alternate route. Lance Corporal (b)(3), (b)(6) was approximately (b)(6) meters away from the cones, observed the vehicle approach, shouted "Agulf", the Arabic word for stop, and gave appropriate hand and arm signals for the driver to stop, but the vehicle continued to accelerate toward the cordon. Lance Corporal (b)(3), (b)(6) first fire a single warning shot into the grill of the oncoming vehicle, then at a range of approximately (b)(6) meters, Lance Corporal (b)(3), (b)(6) fired several rounds from his M16A4 into the passenger side of the windshield in accordance with an order given to him by his team leader, Corporal (b)(3), (b)(6). The vehicle continued to accelerate toward the Marines. At approximately (b)(2)High meters, Lance Corporal (b)(3), (b)(6) realized that it was a single military aged male driving the vehicle and fired four to six rounds into the driver's side of the windshield. Lance Corporal (b)(3), (b)(6) and (b)(3), (b)(6) each fired 8-10 round bursts from their M249 Squad Automatic Weapons (SAWs) at the driver's side of the windshield. The driver slumped over and the vehicle rolled past the Marines (b)(6) meters and came to a halt. Staff Sergeant (b)(3), (b)(6), the Platoon Sergeant, and Hospital Corpsman Third Class (b)(3), (b)(6) the Platoon Corpsman, along with Lance Corporal (b)(3), (b)(6) moved toward the vehicle with the intent of searching the vehicle and Iraqi and providing medical attention.

c. When the Marines reached the vehicle, the driver was clearly dead since there was a significant traumatic head injury from gunshot wounds. After a hasty search of the vehicle, the Marines found no evidence of any explosives or weapons that might identify the Iraqi as an insurgent. The Iraqi Police arrived on the scene approximately two minutes after the incident to take the body away. The Marines completed their mission and returned to the Company firm base.

3. Actions of Unit at the Time of the Incident. Marines from 1st Squad, 1st Platoon were participating in Operation Industrial Reform, and were providing security for the operation from a cordon.

4. ROE Training. Prior to the deployment, each Marine received a detailed card that covers the 2d Marine Division policy regarding rules of engagement (ROE). Within each card there is a detailed description of when the use of force is authorized. In addition to the ROE card, the Marines received a class at the start of the deployment explaining escalation of force (EOF) and the methods that were being used in Iraq. During training at (b)(6) and security and stability operations (SASO) training in (b)(6) Marines went over scenarios and practical application of EOF and ROE. During the relief in place (RIP) with Company B, 1st Battalion, 6th Marines detailed briefs were given about EOF procedures in Fallujah and Marines from Company B mentored the squads on patrol and at the OP's. In addition, the Marines of Company F have a (b)(6) day operations cycle. During the (b)(6) day cycle, one day

SUBJ: PRELIMINARY INQUIRY INTO THE ESCALATION OF FORCE INCIDENT THAT OCCURRED IN THE VIC OF GRID (b)(2)High ON 25 MARCH 2006, INVOLVING MARINES OF COMPANY F, 2D BATTALION 6TH MARINES

is reserved for reset training. The Marines receive 30 minutes of ROE/EOF reset training during their (b)(6)-day cycle. Part of the EOF training is a caveat to watch for those individuals who initially yield to EOF warnings and then resume their movements towards Coalition Forces. Lance Corporals (b)(3), (b)(6) had received EOF/ROE training within (b)(6) days of the incident.

5. Casualty Information. The Iraqi civilian was killed on the scene. The Iraqi Police took the body from the scene approximately two minutes after the incident had occurred. The Iraqi civilian killed by the Marines was later determined to be (b)(6) age (b)(6). The remains were taken to (b)(6) General Hospital by Iraqi Police after the incident.

6. Escalation of Force Measures. The Escalation of Force steps were adequate. The cordon was well marked by Marines and orange cones that made it clear that traffic was being diverted due to Coalition Forces operating in the area. Further, the Marines progressed through verbal warnings prior to engaging kinetically; due to the vehicle's speed and time to react, the Marines were unable to employ any pyrotechnics. The Marines did everything they could to avoid the engagement, but ultimately had to use their weapons. There were no violations of the Rules of Engagement. Marines on scene were not able to ask the man why he failed to yield to the escalation of force warnings, due to his death.

7. Lessons Learned and After-Action Remedial Efforts. The steps taken by Lance Corporals (b)(3), (b)(6) were appropriate given the situation and threat; however, afterwards there was no evidence that the vehicle was carrying any weapons or explosive material. Marines emplaced cones and shouted for the Iraqi to stop. Due to the use of suicide vehicle-borne improvised explosive devices (SVBIEDs) by the enemy, Marines must assume that single military-aged males who violate the warnings and accelerate toward them are displaying hostile intent and Marines may respond with appropriate force in order to protect themselves. Although the actions were appropriate for the situation, city leaders should continue to stress to avoid similar situations from recurring. City leaders need to continue to educate the public that certain actions will be perceived as hostile intent by Coalition forces.

8. CERP. A CERP payment is recommended to the family in this case. No member of the deceased was present at the scene for Marines to give a claims card, however, an Iraqi Policeman who was on duty that day recorded additional family information.

9. The ultimate cause of the incident was the individual's failure to yield to the escalation of force warnings and his unique behavior with respect to the set traffic pattern. Whether it was because he was in a rush or he did not feel the cones and warnings should apply to him, it was a tragic misunderstanding. The Marines, however, acted reasonably to defend themselves and their position. The Marines perceived the Iraqi as a threat to themselves and to the other Coalition Forces. They had ordered the Iraqi to stop and he had failed to follow the direction of traffic and to follow the commands given by the Marines prior to the use of deadly force. Lance Corporals (b)(3), (b)(6) engaged the Iraqi after the Iraqi had failed to obey the cones, verbal warnings and ignored the EOF procedures.

10. Further investigation is not recommended.

SUBJ: PRELIMINARY INQUIRY INTO THE ESCALATION OF FORCE INCIDENT THAT OCCURRED
IN THE VIC OF GRID (b)(2)High ON 25 MARCH 2006, INVOLVING MARINES
OF COMPANY F, 2D BATTALION 6TH MARINES

11. The Investigating Officer can be reached via the Battalion Legal
Officer, Captain (b)(3), (b)(6) DSN (b)(2) email: (b)(3), (b)(6), (b)(2)High emnf-wiraq.usmc.mil.

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



UNITED STATES MARINE CORPS
2D BATTALION, 6TH MARINES
REGIMENTAL COMBAT TEAM 5
I MARINE EXPEDITIONARY FORCE (FORWARD)
UNIT 73190
FPO AE 09509-3190

IN REPLY REFER TO:

(b)(2)High

25 Mar 2006

From: Commanding Officer, 2d Battalion, 6th Marines
To: First Lieutenant [REDACTED] USMC

Subj: PRELIMINARY INQUIRY INTO THE ESCALATION OF FORCE INCIDENT THAT OCCURED
IN THE VICINITY OF [REDACTED] ON 25 MARCH 2006, INVOLVING MARINES
OF COMPANY F, 2D BATTALION, 6TH MARINES

Ref: (a) JAGINST 5800.7D (JAGMAN)

1. This appoints you, per Chapter II, Part A of the reference, to conduct a preliminary inquiry into the facts and circumstances surrounding the escalation of force incident that occurred in the vicinity of [REDACTED] on 25 March 2006.
2. You must ensure the requirement of section 0204 of the reference is met.
3. Investigate any fault, neglect or responsibility therefore, and recommend appropriate administrative or disciplinary action. Report your findings of fact, opinions, and recommendations in letterform by 0800, 27 March 2006, unless you request in writing and are granted an extension. You may also recommend that a command investigation take place if necessary to conduct further investigation. If you have not previously done so, read Chapter II of the reference in its entirety before beginning your investigation.
4. Ensure that personnel are fully identified, the first time they are mentioned in the final report; i.e., rank, full name (first, middle initial, last, SSN, MOS) armed forces component, complete unit and address.
5. You may seek advice from the Judge Advocate during the course of your investigation.
6. This inquiry is your primary duty until all the requirements of Paragraph 2, above, have been met.
7. By copy of this appointing order, Battalion Administrative Section is directed to furnish necessary clerical assistance.

[REDACTED]
(b)(3), (b)(6)

By direction

Copy to:
SJA
Legal Officer
Files

ENCLOSURE (1)
007261

CCIR: 2/6 EOF INCIDENT IN FALLUJAH

250755CMAR06 250953CMAR06 251137CMAR06

Unit/Operation		RCT 5		Casualties				
Event Type	Contact	Attack Type	Vehicle Type	Enemy KIA/WIA	Civilian KIA/WIA	Friendly KIA/WIA/DWRIA/NBD/NBI	IZ SecFor KIA/WIA/NBD/NBI	Detained
CF Offensive Action	Yes	Escalation Of Force	Civilian	0/0	1/0	0/0/0/0/0	0/0/0/0	0
AO	Vicinity	MGRS						
Raleigh	(b)(6)	(b)(2)High						

(b)(2)High -At 250755C MAR 06, F/2/6 had an EOF incident (b)(2)High in central (b)(6) while executing snap VCPs. Marines were searching vehicles at a snap VCP when (1) blue SUV swerved around the line of cars and drove towards the Marines, jumping a curb and weaving around another vehicle. At (b)(6)m, the Marines shouted stop in Arabic, used hand and arm signals, and showed their weapons. At this time the vehicle, containing (1) MAM, accelerated and continued towards the Marines. Due to time/space considerations, the Marines engaged the vehicle at (b)(6)m with (10) rounds of (b)(2)High (M249). The engagement resulted in (1) NKIA, (b)(6) (b)(6) age (b)(6). The body was picked up by IPs and taken to (b)(6) General Hospital. A search of the vehicle was conducted with NSTR. The vehicle was also taken by the IPs. No friendly casualties or damage reported.

Update # 1 (b)(2)High -UPDATE/CORRECTION: F Co had cones set out narrowing traffic in the east lane of (b)(2)High IPs, working with the Marines, were also directing vehicles to allow the traffic on both sides of the ASR to move freely. There has been repeated intelligence reporting of multiple SVBIEDs possibly being employed on coalition forces. The SUV, a (b)(6) 4-door (b)(6) (license plate (b)(6)), was eastbound on the ASR, and then exited onto an access road to the S. Instead of going W, with the flow of traffic, the vehicle jumped the curb and headed E, bypassing the orange cones set out by the Marines. At (b)(6)m, (1) (b)(2)High round (M16) was fired at the grill of the vehicle, which continued accelerating. (3-4) (b)(2)High rounds were then fired at the passenger window. With the vehicle still speeding up, (4) (b)(2)High rounds (M16) and (8-10) (b)(2)High rounds (M249) were fired into the driver's side window at a distance of (b)(6) m. The vehicle then traveled past the Marines, and started slowing down, with the driver slumped over. The Marines moved to the vehicle to conduct a hasty search and render aid to the individual. When the corpsman verified the MAM was KIA, the Marines returned to the cordon.

ENCLOSURE (2)
007262

Official Statement In Case Of: Escalation of Force 1st Plt 1st Squad, 060325

I, SSgt (b)(3), (b)(6), do affirm that the actions described herein are true and correct to the best of my knowledge.

On 25 March 2006 at approximately 0730, 1st platoon, was assigned to conduct a rooftop clearing of (b)(6). A cordon was set to the north of (b)(6) in the vic of (b)(2)High. To stop traffic on the access road that runs parallel to the south of (b)(2)High cones were placed just to the east of the access road exit at (b)(2)High. Cones were also placed on (b)(2)High to funnel east bound traffic into the northern most east bound lane to allow the Iraqi civilians continued use of (b)(2)High however to keep them as far away from the Coalition forces conducting the operation to the south as possible. The flow of traffic heading east down (b)(2)High could either merge and continue to the east or do a U turn and head west down the access road. LCpls (b)(3), (b)(6) were tasked with security to the north of the cordon while the rest of the squad cleared the roof tops. At 0750 (b)(6) late (b)(6) License (b)(6) occupied by (1) MAM hopped the curb of the access road to the south of the U turn area to drive around the cones and began to accelerate to the east toward the cordon. The cones were approx (b)(6) meters away from the northern most Marine, LCpl (b)(3), (b)(6). When LCpl (b)(3), (b)(6) observed the vehicle attempting to bypass the cones he yelled "Agulf" and gave the well recognized hand signal for stop by placing his arm out with his finger tips all touching. The vehicle continued to accelerate. LCpl (b)(3), (b)(6) fired several rounds into the hood and passenger side of the front window at approx (b)(6) meters after being verbally ordered to engage by his team leader Cpl (b)(3), (b)(6). The vehicle continued to the east accelerating and at approx (b)(6) meters LCpl (b)(3), (b)(6) fired 4-6 rounds into the driver side of the front window. LCpl (b)(3), (b)(6) also engaged the driver with an 8-10 round burst each (b)(2)High from M249 at this time. The driver slumped over in the front of the vehicle, the Marines ceased firing, and the vehicle rolled to a stop. Myself, LCpl (b)(3), (b)(6), Sgts (b)(3), (b)(6) and HM (b)(3), (b)(6) moved to where the vehicle had stopped to conduct a search and render aid to the MAM if needed. We conducted a hasty visual search of the vehicle for signs of possible VBIED, which met with negative results. The driver was KIA with the rear portion of his head missing. Once the vehicle was searched and it was clear that the MAM was KIA, myself and the Marines moved back into the cordon. Approx 2 minutes later the IPs entered the cordon from the west, loaded the MAM into the back of one of the trucks, and exited the cordon to the west. Upon completion of the operation pictures were taken of the area and the vehicle and are enclosed in the quick look power point. All Squad Leaders reiterated the EOF procedures, covered in detail the heightened SVBIED threat, passed the descriptions of the BOLO vehicles, and let the Marines know that there was reporting of up to 10 SVBIEDs- although the description of all of the vehicles were unknown, during there operation order.

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

Signature

SSGT / USMC

060325

Date (YYMMDD)

ENCLOSURE (3)

007263

Official Statement In Case Of: Escalation of Force 1st Plt 1st Squad, 060325

I, LCpl (b)(3), (b)(6) do affirm that the actions described herein are true and correct to the best of my knowledge.

On 25 March 2006 at approximately 0750, the Marines of 1st Squad, 1st platoon, were assigned to conduct a rooftop clearing of (b)(6). I was holding security to the north with LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6). LCpl (b)(3), (b)(6) yelled for a vehicle to stop, along with hand and arm signals. The vehicle continued to accelerate towards us and LCpl (b)(3), (b)(6) engaged a single shot at the grill and then shot at the passenger side windshield. Once the vehicle was directly in front of me, approximately (b)(6) feet, LCpl (b)(3), (b)(6) and I engaged with the M249's and I shot an 8-10 burst into the passenger side window at the driver. LCpl (b)(3), (b)(6) engaged with his M16. We then sent out LCpl (b)(3), (b)(6) Staff Sergeant (b)(3), (b)(6) and HM (b)(3), (b)(6) check the vehicle and the status of the driver. The driver was killed and the vehicle was not an SVBIED. Iraqi Police showed up approximately 5 minutes following the EOF and took the casualty. During the operation brief our squad leader, Sgt (b)(3), (b)(6) briefed the squad on EOF procedures and the heightened SVBIED threat.

Sig [Redacted Signature Box] (b)(3), (b)(6)

060325
Date (YYMMDD)

Official Statement In Case Of: Escalation of Force 1st Plt 1st Squad, 060325

I, LCpl (b)(3), (b)(6), do affirm that the actions described herein are true and correct to the best of my knowledge.

On 25 March 2006 at approximately 0750, the Marines of 1st Squad, 1st platoon, were assigned to conduct a rooftop clearing of (b)(6). I was holding security on the south side of (b)(2)High just east of (b)(2)High. I was in the gun truck orientated northwest. A (b)(6) SUV with one MAM turned east on the access road and crossed the curb to go south around the cones we had laid out to block the road. LCpl (b)(3), (b)(6) shouted at the vehicle and engaged the vehicle with his M16 firing 3-4 shots. The vehicle continued to drive east and at about (b)(6) feet I engaged the SUV passenger window with an 8 round burst from my M249 SAW shooting the driver. The vehicle passed in front of me with the driver slumped over and rolled out of my line of sight.

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

Signature

060325

Date (YYMMDD)

Official Statement In Case Of: Escalation of Force 1st Plt 1st Squad, 060325

I, LCpl (b)(3), (b)(6) do affirm that the actions described herein are true and correct to the best of my knowledge.

On 25 March 2006 at approximately 0750, the Marines of 1st Squad, 1st platoon, were assigned to conduct a rooftop clearing of (b)(6). I was holding security on the south side of (b)(2)High with LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6) when a (b)(6) SUV was heading east down (b)(2)High on the south side of (b)(2)High. The access road it went around the cones we had set up and jumped the curb after I yelled "agulf" while showing hand and arm signals and showing of the weapon then I realized the vehicle was (b)(6) feet and closing and there was 1 military age male in the vehicle so I engaged the grill of the vehicle at (b)(6) feet it kept coming so I engaged the passenger window and the vehicle still kept coming and the order to engage was given by CP (b)(3), (b)(6). At this time the vehicle was (b)(6) feet from myself and 25 feet from LCpl (b)(3), (b)(6) and LCpl (b)(3), (b)(6). I then engaged the chest and the head with 10 rounds with my M16. At this same time LCpl (b)(3), (b)(6) and (b)(3), (b)(6) each shot a Burst of the M249 SAW. Then Myself D (b)(3), (b)(6) and Staff Sergeant (b)(3), (b)(6) approached the Vehicle with extreme caution. The military age male was dead. Within 5 minutes the Iraqi Police were on seen. Before I left for the mission I was briefed on EOF and the High risk of SVBIED's Including a (b)(6) (b)(6) and possibly 9 others but we did not have make or model of the others.

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

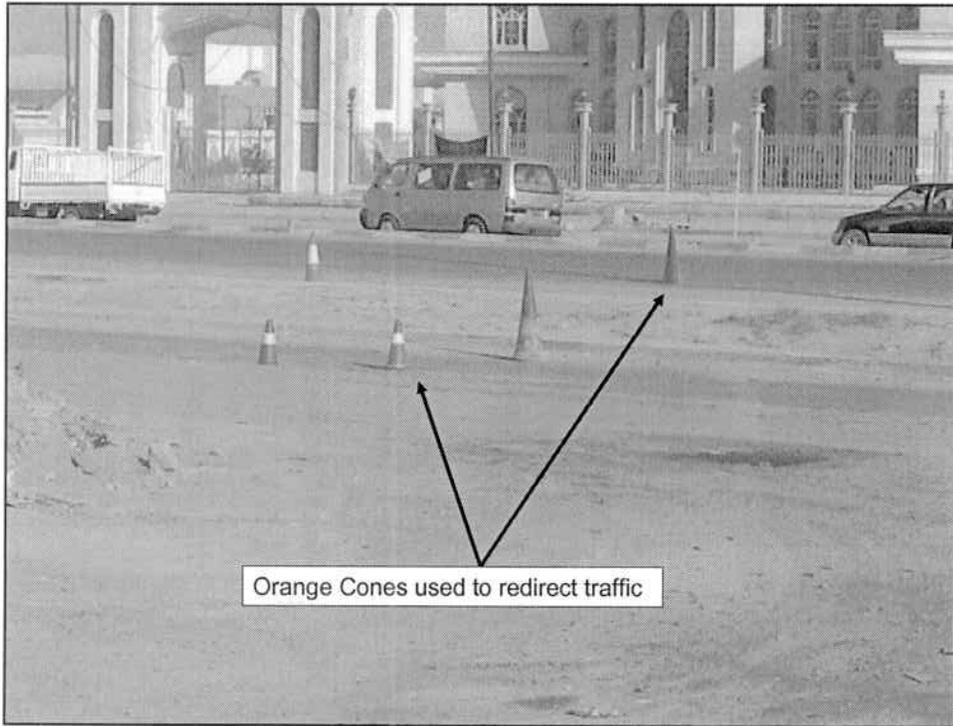
060325

Date (YYMMDD)

ENCLOSURE (6)
007266

Page 14 redacted for the following reason:

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



(b)(6)

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

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

Page 16 redacted for the following reason:

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