

**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 Social Security Number (SSN).

**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION FOB BOSTICK, AFGHANISTAN	2. DATE (YYYYMMDD) 2009/10/22	3. TIME 1450	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS E4-/RA	
8. ORGANIZATION OR ADDRESS TRP B, 3RD SQN-61ST CAV REGT, 4IBCT-4ID, APO AE 09354			

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

1. WHAT IS YOUR DUTY POSITION?  
I am an 11c gunner and was temporarily the section leader for the mortar team on the OP.

2. HOW LONG HAVE YOU BEEN IN THE ARMY? HOW LONG IN COUNTRY FOR THIS DEPLOYMENT?  
I have been in the army for 25 months and have been deployed for 5 months.

3. DO YOU HAVE PRIOR COMBAT DEPLOYMENTS? IF SO, WHEN AND WHERE?  
No, this is my first deployment.

4. HAVE YOU SPENT ANYTIME AT COP KEATING? IF SO, WHEN WERE YOU THERE?  
No, I have never been at COP Keating.

5. WHEN DID YOU ARRIVE AT OP FRITCHE? HOW LONG WERE YOU THERE AND WHEN DID YOU LEAVE?  
I arrived at Fritche on the night of 1 June 2009 and remained there until all troops were pulled off of the OP, on about 8 October 2009.

6. BRIEFLY DESCRIBE YOUR ACTIONS ON 3 OCT 09, DURING THE ATTACK ON OP FRITCHE.  
I was in tower 2 when we began receiving contact around 0600 local time. I began returning fire at the Point of Origin (POO) site that was shooting mortar rounds at us. After a minute or two I got relieved from the tower so that I could get up to my mortar pit and begin firing the 60mm mortar. It wasn't too long after firing the 60mm that I received instruction to get the 120mm into action and provide indirect with that system. Shortly after getting the 120mm into action myself and my other two soldiers were pinned down in our pit due to heavy automatic gun fire and rpg fire. I made attempts to suppress the enemy outside of our wire with frag grenades, claymore and also by traversing 60mm rounds around the wire. When that did not work we needed to evacuate our pit and take up another fighting position until we could get the mortar pit back. From there myself and two others occupied a position right outside of the toc and laid down suppressive fire in an attempt to gain control of the mortar pit again. I bounced back and forth from there and the pit laying down suppressive fire with a M249 SAW. However, it wasn't until the AH-64 team showed up on station that we were able to gain control of the pit. Once back in the pit we began providing indirect fire for Keating with the 120mm and we would go cold on the gun when close air support (CAS) came back on station. We continued to provide fire for Keating for several hours until the attack dwindled down and both the OP and the COP had control of the situation and the fighting had come to a halt.

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

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

STATEMENT OF Specialist (b)(3), (b)(6) \_\_\_\_\_ TAKEN AT 1450 \_\_\_\_\_ DATED 2009/10/22 \_\_\_\_\_

9. STATEMENT (Continued)

7. DID YOU PROVIDE ANY FIRE SUPPORT OR QRF RESPONSE TO COP KEATING ON 3 OCT 09?

I provided indirect fire with the 120mm mortar system for Keating along with my other two soldiers. We fired about over a hundred 120 mm.

8. DID YOU EXPERIANCE ANY WEAPONS MALFUNCTIONS DURING THE ATTACK?

Yes. I had a frag grenade (safety and pin were removed before throwing) and a claymore that did not detonate. I am not certain to the actual cause of the failure on the claymore mine.

NOTHING FOLLOWS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF Specialist (b)(3), (b)(6) \_\_\_\_\_ TAKEN AT 1450 \_\_\_\_\_ DATED 2009/10/22 \_\_\_\_\_

9. STATEMENT (Continued)

THIS PAGE NOT USED

**AFFIDAVIT**

I, Specialist (b)(3), (b)(6) \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 27 (b)(3), (b)(6) \_\_\_\_\_, 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

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

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of OCTOBER, 2009 at FOB BOSTICK, AFGHANISTAN, APO AE 09354

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

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

(b)(3), (b)(6) SFC, USA

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

ARTICLE 136, UCMJ

\_\_\_\_\_  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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