



AR 15-6 INVESTIGATION

Document approved for release by
U.S. Central Command.

Death of SERGEANT ALLEN DUNCKLEY

14 MAY 2007

A CO/1 BN, 3BCT, 3ID

MND-C

Derived from: MNF-I SCG, 31 Mar 07
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AR 15-6 INVESTIGATION

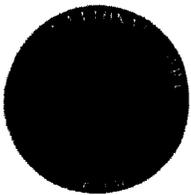
Death of SERGEANT CHRISTOPHER GONZALEZ

14 MAY 2007

A CO/1 BN, 3BCT, 3ID

MND-C





**HEADQUARTERS
MULTI-NATIONAL CORPS - IRAQ
BAGHDAD, IRAQ
APO AE 09342**

REPLY TO
ATTENTION OF

FICI-C2

24 October 2007

MEMORANDUM FOR RECORD

SUBJECT: 15-6 Investigation Classification Review Sergeant Allen Dunckley

1. After a thorough review of the documents in the Sergeant Allen Dunckley 15-6 Investigation, I have determined that portions of the following documents are properly classified in accordance with Executive Order 12958 and are therefore exempt from release under the Freedom of Information Act, 5 U.S.C. § 552(b)(1); E.O. 12958, as amended; and DoD 5400.7-R, paragraph C3.2.1.1:

a. On the, "Imagery" (Dunckley Tabs 1-26, 29), the imagery is classified under E.O. 12958, § 1.4c. The imagery would reveal our capabilities.

b. On the, "Story Board" (Dunckley Tab 30-32), the information and imagery is classified under E.O. 12958, § 1.4a and 1.4c. The information would reveal our reporting procedures and tactics and the imagery would reveal our capabilities.

2. I have determined that the investigation does not contain any other classified material and any operationally sensitive information has been redacted.

3. The point of contact for this memorandum is CPT (b)(6), (b)(3) MNC-I C2 Security Manager, DSN (b)(6) SIPR: (b)(6), (b)(3)

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

CPT, CIM
MNC-I Security Manager

MNC-I CG

Review



REPLY TO
ATTENTION OF

HEADQUARTERS
MULTI-NATIONAL CORPS - IRAQ
BAGHDAD, IRAQ
APO AE 09342

FICI-JA-AL

AUG 19 2007

MEMORANDUM FOR Commander, Multi-National Division--Center

SUBJECT: Review of AR 15-6 Investigation – 14 May 2007 Deaths of SGT Christopher Gonzales and SGT Allen Dunckley and Wounding of Four Soldiers from Alpha Company, 1st Battalion, 15th Infantry Regiment, 3d Brigade Combat Team, 3d Infantry Division

1. I have reviewed the subject investigation and I greatly appreciate the fine work the investigator and your staff have done to capture the essential facts under the arduous operational pace your units are sustaining. I cannot, however, favorably endorse all aspects of the report and the ultimate conclusions without further development and refinement of the evidence and the report for clarity.
2. I concur with the conclusion that friendly fire killed SGT Dunckley and wounded the four Soldiers, but I am less certain regarding the origin of the rifle fire that killed SGT Gonzales and the procedures used that day by both US and Iraqi Forces to disseminate information about the location of friendly forces.
3. I am returning the report of investigation to you for further development and refinement. In addition to any matter you think appropriate, please address the following.
 - a. Improve the written and graphic or pictorial description of the terrain and sequence of events based on a time line. Over the relevant period of time, include the general location of troops (US and Iraqi), distances, and to the greatest extent possible, identify the locations of each individual Soldier relative to each other and structures, vehicles, vegetation, and terrain features.
 - b. Include a battle roster of the Soldiers who participated in the engagement, interview Iraqi National Police witnesses and all Soldiers, including the wounded Soldiers. Among the issues addressed, focus on who fired what type of weapons, including the Iraqi National Police, and any other issues relating to rounds fired by friendly forces that may have killed and wounded the US Soldiers.
 - c. Review and explain all aspects of the plan and execution of the command and control measures during the operation, including coordination with the Iraqi National Police before and during the operation and communications among the units – who was in charge of the operation, where were they located, what were the control measures, who was responsible for the control measures, how was communication among the units established during the operation, how and what command and control information received and disseminated, etc.

FICI-JA-AL

SUBJECT: Review of AR 15-6 Investigation – 14 May 2007 Deaths of SGT Christopher Gonzales and SGT Allen Dunckley and Wounding of Four Soldiers from Alpha Company, 1st Battalion, 15th Infantry Regiment, 3d Brigade Combat Team, 3d Infantry Division

d. Explain how tangible evidence was preserved and coordinate with the Criminal Investigation Division and the Armed Forces Institute of Pathology for forensic and medical analysis.

e. Include all available photos of the terrain and the operation. Use photos to re-enact the events to the greatest extent possible. Within operational limitations, examine and document the terrain and ground, in particular the orchard occupied by 3d Platoon, for all spent casings and evidence of rifle fire.

f. Include a current status of the wounded Soldiers.

4. As a separate matter, conduct an inquiry regarding operational and casualty reporting within your command and through channels to US Central Command and Headquarters, Department of the Army. Critically examine and apply the published standards.

5. Thank you for pursuing these additional matters to help ensure the loss and injuries to these noble and dedicated Soldiers does not pass without critical review and analysis to prevent similar occurrences.



RAYMOND T. ODIERNO
Lieutenant General, USA
Commander

CF:
Commander, MNF-I
Commander, USCENTCOM
Commander, HRC (HQDA)

Legal Review



DEPARTMENT OF THE ARMY
HEADQUARTERS, MULTI-NATIONAL DIVISION CENTER
APO AE 09342

REPLY TO
ATTENTION OF

AFZP-JA

3 August 2007

MEMORANDUM FOR Commander, 3rd Infantry Division and Multi-National Division – Center, Camp Victory, Baghdad, Iraq

SUBJECT: Legal Review of AR 15-6 Investigation – Deaths of SGT Gonzalez and SGT Dunkley, 3/3, MND-C, 14 May 07

1. After review of the subject AR 15-6 investigation, I find as follows:
 - a. the proceedings comply with legal requirements;
 - b. there are no substantial errors in the report of investigation;
 - c. there is sufficient evidence to support the findings, as modified by the exceptions and substitutions of the Appointing Authority;
 - d. the recommendations, including one added by the Appointing Authority, are consistent with the findings.
2. POC is the undersigned at [REDACTED] (b)(6), (b)(3) SVOIP [REDACTED] (b)(6)

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

COL, JA
Staff Judge Advocate

Substituted DA Form 1574, Section IV, Findings:

DA FORM 1574

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 RICK LYNCH, MG, USA, Commanding
(Appointing authority)

on 18 May 07 (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 COP Cleary, Iraq, 09308 at 0900
(Place) (Time)

on 15 May 07 (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 18 Jun 07
(Time) (Date)
and completed findings and recommendations at COP Cleary, Iraq on 18 Jun 07
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Copy of notice to respondent, if any? (See item 9, below)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c. Other correspondence with respondent or counsel, if any?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d. All other written communications to or from the appointing authority?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e. Privacy Act Statements (Certificate, if statement provided orally)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	g. Information as to sessions of a formal board not included on page 1 of this report?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

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

(Investigating Officer) (President)

(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.)



RICK LYNCH, MG, USA, Commanding Date: _____

Approved
3 AUG 07

FINDINGS:

1. I disapprove the following findings of the Investigating Officer:
 - a. Introduction
 - b. Sub-para. l
 - c. Sub-para. r

2. In addition, I substitute the following findings:
 - a. Introduction: On 14 May 2007, in Dura'aiya, Iraq, SGT Christopher Gonzales and SGT Allen Dunckley were killed in action while conducting joint combat operations with the Iraqi National Police.
 - b. I find initial hostile fire came across the Tigris River from the south. Witness testimony that hostile fire originated north of the river is not corroborated or substantiated, though some witnesses perceived it as such.
 - c. Although there was heavy vegetation south of Rte Croc between the road and the river in the area occupied by 3/A, rounds impacted through that area and shredded the trees and grass.
 - d. As 3/A received fire from the north, soldiers quickly called for cease fire. 2/A immediately ceased, but it took longer for the NP to stop firing in the direction of 3/A.
 - e. The NP, firing south, were directing fire toward both 2/A and 3/A, as the NP fired from north of Rte Croc.
 - f. SGT Dunckley, 3/3, sustained fatal wounds to the back as a result of friendly fire on 14 May 07. Although I conclude friendly fire was the cause of death, the evidence does not establish clearly whether it was fire from US forces or from National Police.
 - g. The medical examiner was not able to specify the caliber of round causing the fatal injuries. Since we do not know the weapon that fired at SGT Dunckley, it does not appear that forensic examination of the bullet fragments recovered will determine the source of the rounds. Therefore, I find further forensic and medical examination would not yield useful evidence.

RECOMMENDATIONS: The recommendations of the Investigating Officer are approved, and I add the following recommendation:

(b)(5)

FINDINGS: On 14 May 2007, in Dura'aiya, Iraq, SGT Christopher Gonzales and SGT Allen Dunkley were killed in action while conducting joint combat operations when their element received direct fire contact. I find sufficient evidence to conclude SGT Gonzales was killed by hostile gun fire. However, I find insufficient evidence that the death of SGT Allen Dunkley and the injuries sustained by SPC (b)(3), (b)(6), PFC (b)(6), (b)(3), PFC (b)(6), (b)(3) and PFC (b)(6), (b)(3), were a direct result of the National Police's fire, Hardrock Company's fire, or hostile fire. 2d Platoon located North on Route Croc, did conduct overhead fires in the direction of 3d Platoon for approximately ten seconds. However, based on the location and firing positions of the 2d Platoon, I find insufficient evidence that any of their rounds struck members of 3d Platoon located South of Route Croc.

a. The environmental conditions were clear and daylight (approximately 0900). The temperature was in the upper 80's. No dust clouds or haze limited anyone's visibility. However, a fence with bountiful growth, bushes, brush, trees, and tall grass severely limited visibility from Route Croc to the south in the vicinity where the incident occurred (reference Tab 33).

b. None of the involved elements were running continuous operations, and all forces had ample rest in the immediate 24 hours before the operation.

c. On 14 May 2007, 1st Battalion, 15th Infantry Regiment conducted a joint operation with the 1st National Police (NP) Brigade during Operation Beach Yellow. During this operation, two US Infantry companies (Hardrock and Baker) and one US engineer company (Eliminator) were instructed to follow and support two National Police battalions along Route Croc (reference Tab 30).

d. The S2 briefed in the Operations Order about the threat of small arms precision fire from the south/west side of the river throughout the operation. In attempts to mitigate this risk, 1-15 IN placed vehicles along Route Croc they could use as cover throughout the movement.

e. Baker Company and one of the NP battalions cleared Dura'aiya 1. The NP forces started to become fragmented, and the US forces conducted a tactical halt to gain situational awareness, prepare to clear Dura'aiya 1.5, and disseminate information. NP forces were located north and northwest of Alpha Company who was located on Route Croc.

f. Hardrock 6 wanted to consolidate his forces prior to moving to the next village to conduct clearance operations. However, 2^d Platoon could not move in their Bradley Fighting Vehicles (BFV) as planned to conduct the link up with 3^d Platoon. As a result of traffic congestion, 2^d Platoon dismounted the BFVs and moved east on Route Croc to link up with 3^d Platoon.

g. The 3^d Platoon leader gave his location to the 2^d Platoon leader to conduct a link up on Route Croc to share information prior to clearing Dura'aiya 1.5. The platoon leaders established a link up point approximately 100m to 200m forward of the lead engineer vehicle. Although this was the Forward Line of Troops (FLOT), the elements did not discuss the other locations of subordinate elements prior to reaching the FLOT. This lack of communication resulted in poor situational awareness of the locations of all friendly forces along the direction of attack.

h. There were approximately 45 vehicles from Coalition Forces consisting of the National Police Training Team (NPTT), the National Police (NP), the battalion command security detachment, the route clearance team, and Hardrock and Baker companies. These vehicles extended along the route from the Pepsi Factory to beyond the location of 3^d Platoon. This impeded line of sight, caused 2/A to dismount earlier than planned, and added to the confusion of where the lead engineer vehicle was located.

i. 3^d Platoon's dismounted Soldiers cleared the terrain along the riverbank and assumed a 360 degree perimeter security halt to wait for the link up with 2^d Platoon. The platoon sergeant placed the perimeter in a piece of terrain that protected elements of 3^d Platoon from visibility across the river due to a chest high dirt berm (reference Tabs 6 & 8). This berm prevented enemy fire from the south from causing any casualties to 3^d Platoon.

j. After establishing the link up point, the engineer vehicles slowly resumed movement to continue their route clearance mission. Unbeknownst to 2^d Platoon, the lead element of 3^d Platoon was no longer ahead of the engineer vehicles. The movement of this reference point diluted the perception of where the link up point was established.

k. 2^d Platoon then received small arms precision fire from south of Route Croc from the direction of the river. This precision fire struck SGT Christopher Gonzales, and he became the first Soldier wounded in action during this operation. All Alpha Company elements sought cover and endeavored to identify the threat force. SGT Gonzales later died enroute to the combat support hospital as a direct result of an enemy gunshot wound to the head (reference Tab 27).

l. The evidence is insufficient to determine where these shots originated. There are multiple reports stating the shots came from due south across the river, some reports state the fire came from due south of the units but on the north side of the river, and others reported the shots originated southwest of the units but on the north side of the river.

m. The evidence is also insufficient to determine how many enemy rounds were fired during the initial contact and if the enemy ever ceased engaging our forces. Many reports corroborated an initial burst of 2-4 rounds, then multiple bursts, followed by a hail of gunfire. Once the firefight began, it was impossible to determine if the enemy continued to fire rounds at Coalition Forces.

n. At this time, 2^d Platoon on Route Croc, did not realize they were directly north of 3^d Platoon. 3^d Platoon thought 2^d Platoon was forward of the engineer vehicles as originally reported. Although no element ever positively identified the threat, all Alpha Company and NP forces began to return fire south of Route Croc and across the river to where the platoons believed the enemy initiated contact to suppress enemy forces.

o. Elements of 2^d and 3^d Platoons quickly realized 2^d Platoon was firing over the heads of 3^d Platoon. 2^d Platoon did not intend to fire over the heads of 3^d Platoon. Both 2^d and 3^d Platoons had no situational awareness of each other's locations (reference Tabs 5-24) when the incident

occurred. 2^d and 3^d Platoons initiated a cease fire. However, this command did not reach the NP elements. North of Alpha Company, the NP forces continued to place ill aimed fire over the heads of the platoons from Alpha Company for an additional 60 seconds from personal weapons and vehicular weapons (reference Tab 3). The evidence is insufficient to determine when the enemy ceased his initial contact. As the NP forces continued to fire, Hardrock Company reported their first casualties. 2^d and 3^d platoons had already ceased their fires but could not conduct triage and medevac procedures due to the heavy volume of fire received from the NP elements.

p. Hardrock 6 called for the battalion commander to talk with the NP brigade commander to have his troops cease firing. After many attempts, the NP finally ceased fire and allowed Hardrock to begin triage and casualty evacuation.

q. CSM (b)(6), (b)(7)(C) was moving towards the platoons to assist when he saw a squad sized element of the NP moving from the north to Route Croc. The NP forces appeared from the woodline just east of 2^d Platoon and oriented their fires south towards 3^d Platoon. The NP forces fired their weapons for approximately one minute from standing and kneeling firing positions and then returned north into the woodline (reference Tab 4). The NP forces were also firing their vehicular mounted weapons along Route Croc. These firing positions afforded the NP forces a higher platform on Route Croc from which to fire downward onto 3^d Platoon.

r. The evidence is insufficient to determine which direction SGT Dunkley was facing when his body was struck by two rounds. The results of SGT Dunkley's autopsy show the rounds struck him from his rear (reference Tab 28). Although the initial contact came from south/southwest of their positions, the body of SGT Dunkley may or may not have been oriented towards the south. However, multiple statements and interviews have SGT Dunkley facing various directions, in various positions, conducting various activities. As a result, the evidence does not establish the positioning of SGT Dunkley's body at the time he was struck nor does the evidence establish whether SGT Dunkley sustained hostile or friendly fire.

s. 2^d Platoon on Route Croc was also receiving fire from the NPs north of Route Croc. As 2^d Platoon took cover on the north side of Route Croc to prevent enemy fires from the south from striking them, rounds were impacting from the north (reference Tab 14). The only unit to their north within small arms range was the NP battalion.

t. There is no evidence to show any deficiency in the immediate medical attention or life-saving measures taken. PV2 (b)(6), (b)(7)(C) the platoon medic, was on the scene within seconds of the incident to provide first responder care. The response time for medical evacuation was adequate.

u. As PV2 (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) opened the Interceptor Body Armor (IBA) to conduct life saving measures on SGT Dunkley, they noticed and described a green tipped round in the cloth fold of the IBA (reference Tabs 7 & 11). PV2 (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) believe the green tipped round came from US munitions. Special Agent (b)(6), (b)(7)(C) from Division CID stated that it was possible for a green tipped round to maintain its paint after exiting the barrel of a rifle. The evidence is insufficient at this time to determine whether the metal fragments, recovered from the body of SGT Dunkley during the autopsy, were consistent with that of US or Iraqi munitions.

The United States Army Criminal Investigation Laboratory was contacted and will assist by conducting an analysis to determine this answer.

2. RECOMMENDATIONS:



(b)(3),(b)(6), (b)(5)

4. POC is the undersigned at (b)(6) and (b)(6), (b)(3).

Encl
Index of Exhibits
Chronology
Tabs 1-33

(b)(6), (b)(3)
MAJ, IN
Investigating Officer

Index of Exhibits:

Tab 1	15-6 Appointment Memorandum, dated 27 May 07
Tab 2	DA Form 2823, CPT (b)(6), (b)(7)(C), dated 24 Jul 07
Tab 3	DA Form 2823, LTC (b)(6), (b)(7)(C), dated 23 Jul 07 & 24 Jul 07
Tab 4	DA Form 2823, CSM (b)(6), (b)(7)(C), dated 24 Jul 07 & 24 Jul 07
Tab 5	DA Form 2823, 1LT (b)(6), (b)(7)(C), dated 19 Jul 07 & 22 Jul 07
Tab 6	DA Form 3881, SFC (b)(6), (b)(7)(C), dated 19 Jul 07 & 22 Jul 07
Tab 7	DA Form 2823, SSG (b)(6), (b)(7)(C), dated 19 Jul 07 & 22 Jul 07
Tab 8	DA Form 2823, SGT (b)(6), (b)(7)(C) dated 19 Jul 07 & 22 Jul 07
Tab 9	DA Form 2823, PFC (b)(6), (b)(7)(C) dated 19 Jul 07 & 22 Jul 07
Tab 10	DA Form 2823, PFC (b)(6), (b)(7)(C), dated 19 Jul 07 & 22 Jul 07
Tab 11	DA Form 2823, PV2 (b)(6), (b)(7)(C) dated 19 Jul 07 & 22 Jul 07
Tab 12	DA Form 2823, 1LT (b)(6), (b)(7)(C) dated 22 Jul 07 & 23 Jul 07
Tab 13	DA Form 2823, SFC (b)(6), (b)(7)(C) dated 22 Jul 07
Tab 14	DA Form 2823, SSG (b)(6), (b)(7)(C) dated 22 Jul 07 & 23 Jul 07
Tab 15	DA Form 2823, SSG (b)(6), (b)(7)(C), dated 22 Jul 07 & 23 Jul 07
Tab 16	DA Form 2823, SGT (b)(6), (b)(7)(C) dated 22 Jul 07 & 23 Jul 07
Tab 17	DA Form 2823, CPL (b)(6), (b)(7)(C) dated 22 Jul 07 & 23 Jul 07
Tab 18	DA Form 2823, SPC (b)(6), (b)(7)(C), dated 22 Jul 07 & 23 Jul 07
Tab 19	DA Form 2823, SGT (b)(6), (b)(7)(C) dated 22 Jul 07
Tab 20	DA Form 2823, SPC (b)(6), (b)(7)(C) dated 22 Jul 07
Tab 21	DA Form 2823, PFC (b)(6), (b)(7)(C) dated 22 Jul 07
Tab 22	DA Form 2823, PFC (b)(6), (b)(7)(C) dated 22 Jul 07

- Tab 23 DA Form 2823, PFC (b)(3), (b)(6) dated 22 Jul 07
- Tab 24 DA Form 2823, PFC (b)(6), (b)(3) dated 22 Jul 07
- Tab 25 DA Form 2823, 1LT (b)(6), (b)(3) dated 22 Jul 07
- Tab 26 DA Form 2823, SGT (b)(6), (b)(3) dated 22 Jul 07
- Tab 27 Final Autopsy Examination Report, SGT Gonzales, dated 04 Jun 07
- Tab 28 Final Autopsy Examination Report, SGT Dunkley, dated 04 Jun 07
- Tab 29 Synopsis of Operation Beach Yellow Events
- Tab 30 1-15 IN Operations Order for Operation Beach Yellow
- Tab 31 1-15 IN Initial Post Operations Storyboard
- Tab 32 1-15 IN Final Post Operations Storyboard
- Tab 33 Pictures from the view of an M2 BFV orienting south from the same vicinity were 2/A returned fire on Route Croc over the heads of 3/A

Chronology:

14 May 07 – Operation Beach Yellow conducted and 1-15 IN receives 6 casualties (2 x KIA, 4 x WIA). Questions immediately arise if a Green on Blue or a Blue on Blue incident occurred. MG Lynch flies into COP Cleary to receive an update on the operation. COL (b)(6), (b)(3) 3/3 ID Commander, and MAJ (b)(6), (b)(3) 1-15 IN Executive Officer, brief MG Lynch on the status of the operation and the potential friendly fire incident.

15 May 07 – COL (b)(6), (b)(3) and LTC (b)(6), (b)(3) 1-15 IN Battalion Commander, appoint MAJ (b)(6), (b)(3) to conduct a Commander's Inquiry for a potential friendly fire incident.

17 May 07 – MAJ (b)(6), (b)(3) conducts inquiry of 3^d Platoon, A Co., as to the events that occurred during Operation Beach Yellow.

18 May 07 – MAJ (b)(6), (b)(3) conducts inquiry of 2^d Platoon, A Co., as to the events that occurred during Operation Beach Yellow.

19 May 07 – MAJ (b)(6), (b)(3) conducts inquiry of HQ Platoon, A Co., as to the events that occurred during Operation Beach Yellow.

19 May 07 – MG Lynch appoints MAJ (b)(6), (b)(3) as the investigating officer for a 15-6 to determine if a friendly fire incident occurred.

21 May 07 – Statements collected and interviews completed for 3^d Platoon, A Co.

22 May 07 – Statements collected and interviews completed for 2^d Platoon, A Co.

23 May 07 – Statements collected and interviews completed for HQ Platoon, A Co.

25 May 07 – Investigation completed. Awaiting signatures of statements from company.

13 Jun 07 – A Company signs and returns statements.

15 Jun 07 – Investigation returned to FOB Hammer for legal review and commander review.

18 Jun 07 – Investigation submitted for Division legal review.

17 Jul 07 – Division SJA attempts initial contact with investigating officer to provide guidance for additional evidentiary clarification.

19 Jul 07 – Investigating officer contacted with Division SJA's recommendations to modify the investigation.

19 Jul 07 – Collected statements from 3^d Platoon, A Co., located at FOB Hammer.

21 Jul 07 – Investigating officer moves to COP Cahill to conduct additional questioning.

22 Jul 07 – SJA establishes date of 28 Jul 07 to brief CG on investigation results.

22 Jul 07 – Conducted follow up interviews with 3^d Platoon, A Co., at Salman Pak JSS.

22 Jul 07 - Collected statements from 2^d Platoon, A Co., located at COP Cahill.

22 Jul 07 – Requested assistance from Division CID to collect autopsies for KIA.

23 Jul 07 - Conducted follow up interviews with 2^d Platoon, A Co., at COP Cahill.

23 Jul 07 – Collected statements from HQ Platoon, A Co., at COP Cahill.

24 Jul 07 – Collected additional statements from HQ Platoon, A Co., and also from BN HQs.

24 Jul 07 – Received autopsies from Division CID.

25 Jul 07 – Investigating Officer returns to FOB Hammer to complete findings.

26 Jul 07 – Findings and recommendations provided to 3HBCT SJA for review.

TAB 1



REPLY TO THE
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, MULTI-NATIONAL DIVISION-CENTER
APO AE 09342

AFZP-CG

18 May 2007

MEMORANDUM FOR MAJ (b)(6), (b)(3) HHC, 1-15 IN, 3BCT, 3ID, COP Cleary, Iraq

SUBJECT: Appointment as 15-6 Investigating Officer

1. You are hereby appointed as an Investigating Officer pursuant to Army Regulation (AR) 15-6, Procedures for Investigating Officers and Boards of Officers. You will conduct an investigation to determine the facts and circumstances surrounding the injuries sustained by three 3BCT 1/1-15 Soldiers on 14 May IVO Operation Beach Yellow in the Duraiya area.
2. Conduct a thorough investigation to determine the circumstances surrounding this incident. Use informal procedures under AR 15-6. The evidence you gather should support your findings and your recommendations must be consistent with your findings. Your investigation should include, but not be limited to, the following questions:
 - a. Did the two units involved know that they were in the same battle space?
 - b. Did each unit have communication with the unit that owns the terrain? When did each unit last report their location, direction of movement and actions?
 - c. What steps did the shooting unit take to PID the receiving unit?
 - d. What steps did the receiving unit take to properly mark/identify themselves?
 - e. Did each element have a BFT? If so, was it operational? Were both units visible?
 - f. Were the shooting unit and the receiving unit tracking each other by any means?
 - g. Who knew that the two units were on the same piece of terrain?
 - h. What conditions contributed to a possible same force engagement?
 - i. Did each unit have a detailed tactical plan or rehearsed fire control plan?
 - j. What were the relative positions among shooters and recipients of fire?
 - k. Did US and Iraqi forces follow appropriate TTPs?
3. If, during the course of your investigation, you suspect that an individual may have committed a criminal offense, use DA Form 3881, Rights Warning / Procedure Waiver Certificate, to advise them of their rights under Article 31, Uniform Code of Military Justice.
4. Compile a daily chronology of all investigative activities and consult your legal advisor whenever necessary or if you suspect criminal misconduct.
5. Submit your findings and recommendations to me on DA Form 1574 no later than 26 May 2007. Should you require additional time, coordinate with me through the Office of the Staff Judge Advocate.

RICK LYNCH
Major General, US Army
Commanding

TAB 2

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 COP Cahill, Iraq (b), (b)	2. DATE (YYYYMMDD) 2007/07/24 (b), (b)	3. TIME 1800hrs (b), (b)	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3) (b), (b)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS 0-3 (b), (b)	
8. ORGANIZATION OR ADDRESS A CO 1-15 IN, 3RD BDE, 3RD ID (b), (b)			

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

On 14 May, 2007, vic Grid (b)(2)High, at approximately 0900hrs. I was moving behind my 3rd Platoon conducting a Company Attack in Al-Durayia. Hardrock was the ME Company for the TF (-) Attack and I was moving behind the ME Platoon with my FSO (1LT (b)(3), (b)), SGT (b)(3), (b) (Security Element), and SPC (b)(3), (b) (RTO). We were following the 1/1 NP Bde as dictated in the BN OPORD, moving East Along Rt. Croc to clear specified NAI of insurgent activity. We had just entered and cleared NAI 1A (south) and continued to move east just south of Route Croc. At this specific time I was moving dismounted behind 1st Squad, 3rd PLT led by SSG (b)(3), (b) and SFC (b)(3), (b) the 3rd PLT PSG. We moved down a trail just to the east of NAI 1A (south) that led to an opening in a fence line along the Tigris River. We began moving to the east and discovered a small structure. 1st Squad entered and cleared the structure and then my HQ element moved to the structure and occupied a small room facing the north. As 3rd PLT established Security, I contacted D6 (LTC (b)(3), (b) with an updated SITREP and also contacted W1 & W4 (1LT (b)(3), (b) & SFC (b)(3), (b)) to move dismounted to our location to initiate the Company (-) attack in to NAI B as planned in the Company OPORD. Traffic was backed up on Rt. Croc by the Rt. Clearance Team, NPTT vehicles, CSD vehicles and NP vehicles so instead of my White PLT moving to the location mounted as planned I told them to dismount both squads and move east along Rt. Croc to my location to initiate the attack as we were losing momentum. During this time I moved to the top of the building to get better SA and I again contacted W1 to see what was taking them so long to move to our location. I gave W1 our current location again and he said he was enroute. I then walked down from the roof and moved up the trail about 15m from Rt. Croc to link up with SFC (b)(3), (b) SSG (b)(3), (b) and Doc (b)(3), (b) to tell SFC (b)(3), (b) to send someone to the road to conduct visual link up with White PLT. Shortly after this as I was taking a knee and speaking to SFC (b)(3), (b) four to six shots were fired from across the river, south of our position. SSG (b)(3), (b) announced contact, small arms fire, across the river, and began repositioning his squad to get a better field of fire. Immediately after the Squad faced the point of contact we started to receive a heavy volume of small arms fire from what appeared to be south of the river and than north of our location. SSG (b)(3), (b) ran through the gun fire to Route Croc to ensure that friendly forces were aware of our location and to facilitate the link up with White PLT and SFC (b)(3), (b) moved through the heavy fire to ensure that his Soldiers were taking cover, looking to ID the enemy, returning fire and to evaluate casualties. I immediately reported contact on the Company Net and scanned the area for enemy and to identify 3rd PLTs elements. I looked back into the building and saw SGT (b)(6), (b) signaling for either me or Doc (b)(6), (b) to get inside the building. The fire increased significantly for a few moments with the grass and trees around me and the 3rd PLT Soldiers being shredded and bullets were ricocheting off of the ground in all directions. I got into the prone and then during a lull in the fire, ran into the building to get on the BN Net as my RTO was already shot and beginning to receive treatment from SGT (b)(3), (b) and 1LT (b)(3), (b) I then called D6 to announce "Cease Fire", give a SITREP and an update on casualties. Doc (b)(3), (b) moved through the barrage of fire to treat SPC (b)(3), (b) (who was located close to the building and had low crawled inside. SFC (b)(3), (b) and SSG (b)(3), (b) continued moving through the enemy fire checking on their Soldiers. Then it was discovered that SGT Dunckley was shot and was not moving. SSG (b)(3), (b) began treating him and called for Doc (b)(3), (b) because SGT Dunckley was not breathing. SFC (b)(3), (b) then moved to the other casualties, PFC (b)(3), (b) and PFC (b)(3), (b) who both announced they had been shot and moved them to the CCP with in the one structure in the area that I was now located in. SFC (b)(3), (b) moved to the structure and gave me an initial report and then moved back to where SGT Dunckley was being worked on by SSG (b)(3), (b) and Doc (b)(3), (b) W1 and W5 (SSG (b)(6), (b)) arrived at the building with a squad and I told them to add security south along a berm overwatching the river. W1 also gave me the report that SGT Gonzalez had been shot in the head along Rt. Croc and was currently being worked on by Doc (b)(3), (b) There was still heavy gunfire at this point and SSG (b)(6), (b) came back from emplacing his squad and reported that there was command wire in the structure we were occupying and that the building was possibly booby trapped. Knowing that I couldn't evacuate the building with 4 WIA being treated and heavy gunfire, I made the decision to remain in the building until all casualties were evacuated. At somepoint I contacted HR 5 (1LT (b)(6), (b)) and told him to move his vehicle to our location to conduct CASEVAC. I then called in the 9-Line to D6 with an update on casualties and our current situation. Doc (b)(3), (b) SGT (b)(3), (b) & 1LT (b)(3), (b) continued to treat and prepare all casualties for transport to the HLZ until HR 5 arrived to conduct CASEVAC. SFC (b)(3), (b) & SSG (b)(3), (b) were still moving throughout the Squad to ensure we had adequate security and helping with the CASEVAC. D7 (CSM (b)(3), (b)) arrived at our location shortly before HR 5 arrived and helped SFC (b)(3), (b) prepare SGT Dunckley to be evacuated, he was already deceased. After all Casualties were evacuated to the HLZ, I gave an update to D6, requested EOD and ordered our vehicles forward as both platoons worked to consolidate and reorganize. Upon completion of this I moved north to Rt. Croc. One Shot was fired at an Enemy to the N/E by SGT (b)(3), (b) and their were several NP Soldiers gathered around our lead vehicles. I then found the 1/1 NP BN Cdr and ordered him to continue movement east which he was reluctant to do without our support. I then moved to EOD who had moved back west to our location to check out the building and gave them a SITREP.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b), (b)	PAGE (b), (b)	2 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 BE INDICATED.



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

14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID

(b)(2)High

T/EOO

TIGRIS RIVER

TAB 3

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: COP CLEARY, IZ
2. DATE: 2007 07 23
3. TIME: 1500
4. FILE NUMBER: (b)(3), (b)(6)
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(3)
6. SSN: (b)(3), (b)(6)
7. GRADE/STATUS: O-5
8. ORGANIZATION OR ADDRESS: HHC/1-15 IN 3/3 ID

I, (b)(6), (b)(3), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 14 MAY 2007, OUR Battalion conducted a deliberate attack to clear Sunni extremists from the Dunea 1 & 2 area, south east of Salman Pak. Our primary mission was to follow in support of the 3 battalions of the 1st Iraqi National Police (NP) brigade. We were task organized with 3 companies: A/1-15 who followed 1/1 NP (generally south of RTE CROC), B/1-15 who followed 2 & 3/1 NP (generally north of RTE CROC) and E/1-15 who was conducting a deliberate route clearance along RTE CROC. We had forward deployed our TAC and Forward Aid Station at the Panorama building (located on the southeast corner of Salman Pak); myself, CSM (b)(6), (b)(3), and CSM (b)(6), (b)(3) had moved forward of the TAC on foot, in order to accompany the 1/1 NP commander. The NP had mostly cleared the initial objective (Dunea 1) by 0830, and our combined command elements had jointly occupied a factory compound along the Tigris by about 0845. We were (the 1st NP bde cdr and myself) talking over the map about the next move for 2 & 3 Bns when the shooting started. I heard one short burst and about 4-5 single shots fired somewhere to our east, then - after a short pause - sustained rifle and machine gun fire for a duration of about 30-45 seconds. The soldier (us: Iraqi) providing security for us began to get down behind cover, and generally oriented themselves facing south towards the far bank of the Tigris Rv. I immediately had my RTO (the S-3 AIR, LT (b)(6), (b)(3)) attempt to get a SITREP from all 3 of our companies, and began asking (through an interpreter) the NP bde commander what his soldiers were reporting. After about 1-2 more minutes, the NP's brought up a truck (with a 12.7mm machine gun mounted in the back) parallel to our position on RTE CROC, and began to fire it directly over our heads towards the South side of the river. The NP brigade commander said his soldiers reported a sniper firing at us from across

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

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

TAKEN AT

1500 on 2007 07 23

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

DATED

231500 Jul 07

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

9. STATEMENT (Continued)

the river. CSM (b)(6), (b)(3) who had moved outside the compound just before the firing began, then came back in and reported that we had one casualty and told me we needed to get the NP's to cease fire, as this fire was inaccurate and not effective. He returned to the point of injury as I told the NP cdr to cease fire. All during this time (approx 5-10 minutes) the NP soldiers were continuing to fire, mostly over our heads, but all generally oriented South. I then was called by the A/HS cdr who reported he had 1 KIA and several wounded. As my RTO began working medevac, I began conversing (again, through an interpreter) with the NP brigade commander. He said his soldiers were returning fire at a sniper on the south bank of the river. I asked him which unit was firing, and what their general disposition of forces were. He was unsure of both who's whose his soldiers were firing, as the only means of communication he had was hand-held, short range, Motorola radios. I then told the Captain from the National Police Transition Team (NPTT) to tell their counterparts to stop firing. I got a 2d radio call from the Alpha company commander, emphatically requesting that the National Police elements cease firing, as he felt his soldiers may be endangered by their cross fire, and that he was unable to evacuate his soldiers until the NP's stopped. I relayed this all to the NP bde cdr, and after a few moments all firing stopped. I moved onto the road (RTE 606) as my RTO continued to request medevac, and then gave a SITREP to our supporting Aviation Support (a pair of AH-64's) who had been cut to us from the brigade when the firing started. On the road, I confirmed that our soldiers were about 75-100m to our east, conducting CASEVAC & buddy aid. Between us, all along the road, were several stationary vehicles from our Route clearance element, and several NP vehicles (mainly pick-ups) were moving in between these vehicles. All weapons & soldiers, both US & Iraqi seemed to be oriented south towards the far bank of the river. Interspersed with the vehicles were 10-20 NP soldiers, who were standing & looking south. I moved 50m north west, to the field we had selected for an evacuation LZ, and watched as our evac vehicles

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3

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

STATEMENT OF

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

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

TAKEN AT

1500

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

DATED

2007 07 23

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

9. STATEMENT (Continued)

brought our Soldiers in. I talked with a couple wounded Soldiers, and then returned to getting a more detailed SITREP from all 3 company commanders. The B/1-15 cdr reported negative contact, but said his Soldiers were stopped & taking cover. The E/1-15 cdr reported that ~~the~~ (b)(3), (b)(6) Soldiers had observed all the firing, and stated most of it had been done by the NP's. The A co cdr gave an update of #'s of WIA, battle roster #'s and updated locations of his elements. I returned to the location of the INP' hq commander, and asked him for a report from his Soldiers. After discussing this for a few minutes, CSM (b)(3), (b)(6) returned and said he didn't feel it was safe to have our Soldiers ~~was~~ close to the NP's. I then moved forward to the A/1-15 cdr's location, gave him guidance to remain in terrain feature (roughly 600m) behind-west-of the NP's, but to continue the mission to the next phase line which was about 1500 meters further.

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

AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

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

WITNES:

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

Subscriber:

administer oaths, this 23 day of July, 2007
at CoP Cahill, Iraq

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

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

(Typed Name of Person Administering Oath)

BATTALION XO

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3

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



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

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 (SSM).
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 information is voluntary.

1. LOCATION COP Cleary, Iraq	2. DATE (YYYYMM) 2007/07/24	3. TIME 1800	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3),(b)(6)	6. SSN (b)(3),(b)(6)	7. GRADE/STATUS O-5 (b)(3),(b)(6)	
8. ORGANIZATION OR ADDRESS HHC, 1-15 IN. 3/3 ID			

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

Q: Where do you think the initial rounds came from?
A: I thought I heard the rounds come from east of my location.

Q: Which way were our men oriented and why?
A: Our men were oriented to the south. They looked around and saw all Iraqi forces oriented to the south, so they followed suit.

Q: Did you ever see any rounds impacting anywhere around you or anywhere else?
A: I never saw any rounds impacting anywhere.

Q: Did you or anyone from the CSD ever positively identify the enemy force?
A: No.

Q: Did you ever see the wounds sustained by SGT Gonzales or SGT Dunkley?
A: No.

-----END OF STATEMENT-----

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3),(b)(6)	PAGE 1 OF 2
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

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

TAKEN AT 1800

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

DATED 2007/07/2

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

9. STATEMENT

[Large area crossed out with a large X]

AFFIDAVIT

I, (b)(6), (b)(3) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3 . 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OF

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

HHC / TF 1-15* ORGANIZATION OR ADDRESS

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

HHC / TF 1-15 ORGANIZATION OR ADDRESS

(b)(6), (b)(3) Subscribe administer c

at CAP Cahill, Iraa July 2007

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

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

BATTALION XO (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGE

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

TAB 4

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Combat Out post Cleary, Iraq; DATE: 20070724; TIME: 1326; FILE NUMBER: (b)(3), (b)(6); GRADE/STATUS: E-9 IAD; ORGANIZATION OR ADDRESS: HHC, 1-15 IN, 3D BDE, 3D IO, APO AE 09308-5956

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

On 14 May 2007, TF 1-15 conducted Operation Beach Yellow. The route clearance team (ECO, 1-15 w/2 tanks from CO 1-15) and elements of ACO and BCO along with the BN TAC and mortar and artillery and aviation support conducted the operation. The route clearance team started their movement south along route CROC at approximately 0700. The TAC followed behind ACO and began dismounted movement at approximately 0800 south on route CROC. I was with the BN TAC directly behind 3rd Plt, ACO. We reached an abandoned building site along the Tistis at approx 0845 with elements of the National Police. The National Police were intersted along with A and B companies. The TAC along with a HQ element from the National Police assumed a position at the abandoned building site. I was located with the TAC. At about 0900 I walked away from the TAC and out route CROC to check on the Soldiers along the route. At approximately 0910 I saw a Soldier fall to my east and watched the platoon sized element get into the prone position and return fire due south

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

STATEMENT OF (b)(3),(b)(6) (b)(3),(b)(6) (b)(3),(b)(6) TAKEN AT 1400 DATED 24 July 07

9. STATEMENT (Continued)

across the Tisiti. A National Police truck pulled up to my north and began firing a heavy machine over my head and over the compound wall which housed the 1-15 TAC and NP HQ element. I gave the cease fire hand and arm signal, yelled cease fire and moved to the location of the fallen soldier. When I arrived at the site of the fallen soldier I met 1SG (b)(6), (b)(3) and SFC (b)(6), (b)(3) (CA-Team medic) working on Sst. Gonzalez (fallen soldier). About the time I arrived at Sst. Gonzalez' position, a squad sized element of the NP walked onto the CROC and began firing south and southeast. Cease fire hand and arm signals and a vocal cease fire was given again and the NP picked-up and moved north. I assessed the situation and returned to the TAC to report to LTC (b)(6), (b)(3) (1-15 CDR) that Sst. Gonzalez was shot in the head, it appeared fatal, and the shot may have come from south of the river. 1LT (b)(6), (b)(3) started the MEDEVAC process and I returned to Sst. Gonzalez' position. Upon arrival to Sst. Gonzalez' position, SFC (b)(6), (b)(3) was working on placing a breathing tube into Sst. Gonzalez and stated that Gonzalez was still alive. I gave instructions to move him to the designated HLZ. I moved to the HLZ location, grabbed two CSN soldiers and established the HLZ and reported it to the TAC. I then returned to

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

1400

DATED

24 Jul 07

9. STATEMENT (Continued)

Sgt Gonzalez' position (location of 2nd PLT, ACO) and received the report that 3rd PLT, ACO had casualties to our east. I moved to the 3rd PLT location and found the platoon medic working on four WIA soldiers ((b)(6), (b)(3)) and one KIA (Sgt Dunekley). I gave the PSG instructions to start moving WIA to the HLZ and reported the WIA and KIA to the TAB. I went to Sgt Dunekley and with the assistance of the PSG (SFC (b)(3), (b)(6)) a Squad leader (Sgt (b)(3), (b)(6)) and the medic (PVT (b)(3), (b)(6)), we removed Sgt Dunekley's seat, placed him in a remains bag, and moved him to a pick-up location on the CRAC. SFC (b)(3), (b)(6) along with his Co. CDR (Capt (b)(3), (b)(6)) and other members of ACO HQ element and 3rd PLT, ACO continued the processing of WIA and KIA and consolidated and reorganized. I returned to the HLZ linked-up with the RA and BN CDR. All KIA and WIA were evacuated and the battalion continued the mission.

I, (b)(6), (b)(3), AFFIDANT (b)(3), (b)(6) OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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)(6), (b)(3)
 (Signature of Person Making Statement)

WITNESSES:
 (b)(6), (b)(3)
 HHC 77 1-15
 (b)(6), (b)(3)
 HHC TF 1-15
 ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24th day of July, 2007 at COP Cahill Iraq
 (b)(6), (b)(3)
 (b)(6), (b)(3)
 (Authority to Administer Oaths)
 BATTALION XO & IO

INITIALS OF PERSON MAKING STATEMENT



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

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 COP Cleary, Iraq	(b)(3),(b)(6)	2. DATE (YYYYMMDD) 2007/07/24	TIME 1430	3. FILE NUMBER (b)(3),(b)(6)
5. LAST NAME, FIRST NAME, MIDDLE (b)(6), (b)(3)	(b)(3),(b)(6)	6. SSN (b)(3),(b)(6)	7. GRADE/STATUS E-9 (b)(3),(b)(6)	
8. ORGANIZATION OR ADDRESS HHC, 1-15 IN, 3/3 ID (b)(3),(b)(6)				

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

Q: When did you see SGT Gonzales get hit by a round?
A: I saw a Soldier get hit from one of the first few rounds that were fired. I later found out it was SGT Gonzales that was struck by the round.

Q: Did you see an entrance or an exit wound?
A: I could not see for sure. I saw blood around the ears. I think I saw wounds by both of his temples.

Q: What was the orientation of SGT Gonzales when he was hit by the round?
A: He was walking on the road with his platoon heading to the east to move to Blue platoon (3/A).

Q: Did you ever see the National Police (NP)?
A: I saw about 1 squad of NP move out from the woodline to the north of Route Croc. They were just to the east of 2/A. They were firing their weapons to the south from both a standing and a kneeling firing position for approximately 1 minute. They did not have well aimed fire. After they were done firing, they went back into the woodline to the north.

Q: Where do you think the initial rounds came from?
A: I think the initial rounds came from the south. I think the first rounds were aimed at SGT Gonzales and the rest were aimed at 3/A.

Q: Tell me about the berm vicinity the house?
A: The berm was about waist high. It provided cover and concealment from across the river. It was located just south of the house.

Q: What did SFC (b)(3),(b)(6) tell you?
A: He thought the initial rounds came from the south also. He said he saw some rounds hit the berm on the south side, and then the rest of the rounds came from the right rear (from Route Croc).

Q: Did you ever see a green tipped round near SGT Dunkley?
A: No, I never saw one. No one mentioned it to me at the time either.

Q: Could you see anything looking south from Route Croc?
A: No, the vegetation was to thick to see anything.

Q: Explain the drop off from Route Croc.
A: There was a change in elevation of about 5 feet right off of Route Croc. This extended about 10 feet from the road.

Q: Is it possible to place fire from Route Croc on to 3/A?
A: The vegetation is pretty thick.

Q: Do you think 2/A accidentally fired on 3/A?
A: I don't think it's possible. All of the firing I saw was done on line and facing due south. I think our casualties were sustained from the NP fire when they went south to Route Croc and fired south. I immediately reported to the battalion commander that I thought our casualties were sustained from the NP fire.

-----END OF STATEMENT----- (b)(3),(b)(6) -----

10. EXHIBIT	11. INITIALS (b)(3),(b)(6)	MAKING STATEMENT (b)(3),(b)(6)	PAGE 1 OF 2	(b)(3),(b)(6)
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

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

TAKEN AT 1430

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

DATED 2007/07/24

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

9. STATEMENT (Continued)

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

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24th day of July, 2007 at COP Cahill, Iraq

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

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

BATALION XO & 15-6 IO
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

TAB 5

Initial E. 519

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	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
	2007 07 19	2000	
(b)(6), (b)(3)		(b)(3), (b)(6)	7. GRADE/STATUS
			0-2 (b)(3), (b)(6)

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

The events in question happened on 14 May 2007, during Beach Yellow mission. The mission was the 1st mission to Durayee and secured with National Police. The operation was set to have Eliminator (Eco) in front clearing the RTE. 2nd in OOM would be National Police, then 3rd PLT Aco, HQ Aco, 2nd PLT Aco, Bravo Co mission was to move north and clear Durayee one after 3rd PLT cleared the Pepsi Factory.

The Fire Plan was very restrictive. At the Pepsi factory we could not shoot north because Badger would be moving north. Could not fire east on the road because Eliminator at (b)(3), (b)(6) 1st room. Could not fire west, that was back towards enemy forces. You could fire south when clearing structures on south side of road but could not fire across river. South side of River was a friendly unit (SF). After Durayee one the fields of fire ~~would~~ ^{were} (b)(3), (b)(6) been directed North East as we cleared from south to north in Durayee 1.5.

After clearing (b)(6), (b)(3) I (LT) (b)(3), (b)(6) moved with 2nd SQD through the orchard just east of the Pepsi Factory. Hardrock Co moved with 1st SQD to clear structures on the south side of the ~~RTE~~ (b)(3), (b)(6) RTE CRAC. 1st SQD & 2nd SQD moved simultaneously from west to east.

10. EXHIBIT	11. INITIALS OF KING STATEMENT	PAGE 1 OF 4
	(b)(3), (b)(6)	(b)(3), (b)(6)

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ 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)(6), (b)(3) TAKEN AT BLC (b)(3), (b)(6) DATED 19 July 2007 (b)(3), (b)(6)

9. STATEMENT (Continued)

1st SQD with the PSG, ACo, and FSO moved to building 3. I moved with 2nd SQD to PL Yellow (the intersection of Croc and the 1st Road moving North and South Past the Pepsi Factory) (see diagram) 1st SQD was finished clearing structure 3 so they pulled security while 1st SQD moved into structure 4. Once structure 4 was clear we received the word to link up on RTE Croc and be ready to move. 1st SQD came up on the road and linked up with a member of 1st SQD at the intersection of PL Yellow. 2nd PLT was called to dismount and move East on Croc to link up with Blue PLT. Once myself with 1st SQD saw made link up with a member of 2nd SQD we took knee in road march formation on both sides of the road. At that time we heard the 1st shot. We believed the shot came from the south possible across the river. We called everyone in 1st SQD to the ditch on the North side of Croc. We oriented our weapon South toward the River try to get a clear line of sight. Within seconds of this shot were fired in all directions. From my location we heard shot coming from the north and west. So we pushed further into the ditch for cover.

I thought the 1st shots came from house #4 but after rounds were being shot from all direction it became impossible to tell.

I heard a large volley of fire and believed someone had a better line of sight than I. 1st SQD reported nothing at 1st but ~~South from the~~ (b)(3), (b)(6) shot then after 2nd SQD had cover in a ditch I received the call from Blue 5 (SSG) (b)(3), (b)(6) to get 2nd SQD to get 1:1ters and a Disaster Bag for 1st SQD.

We called for our vehicle to come up so we could evacuate

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 4 PAGES

9. STATEMENT (Continued)

wounded. Blue PLT's vehicles were behind a minimum of 10 vehicles, were (b)(3), (b)(6) between (b)(3), (b)(6) and began to evac casualties to the LZ, west of Pepsi factory. Two of our 3rd PLT, AMVUS pulled down to structure 3 and we (b)(3), (b)(6) loaded them with the injured personnel's equipment. The XO's BIV was on site to transport personnel. The WIA were moved to the LZ for transportation to a higher echelon of care. SGT Duckley was put into a casualty Bag and move to be evacuated on a separate Helicopter.

I remember linking up with CPL (b)(3), (b)(6) at PL Yellow, He and other members of his SQD were pulling security to the North.

"when I ran to the LZ to get a disaster Bag I saw the IRAQ' Dishca track on the road just north of the location Orchard 2. There were shots from all direction that only Nation Police were located.

AFFIDAVIT

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

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

12T
ment)

WITNES

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

SGT

A-co 415 INF 3BDE 3ID APO AE 09308 5956

ORGANIZATION OR ADDRESS

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

SSG

A-co 415 INF 3BDE 3ID APO AE 09308 5956

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2007 at COP Cahill, Iraq.

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

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

(T)

BATTALION XO

(Authority To Administer Oaths)

INITIAL

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

MAKING STATEMENT

PAGE 3 OF 4 PAGES

9

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PL/Yellow

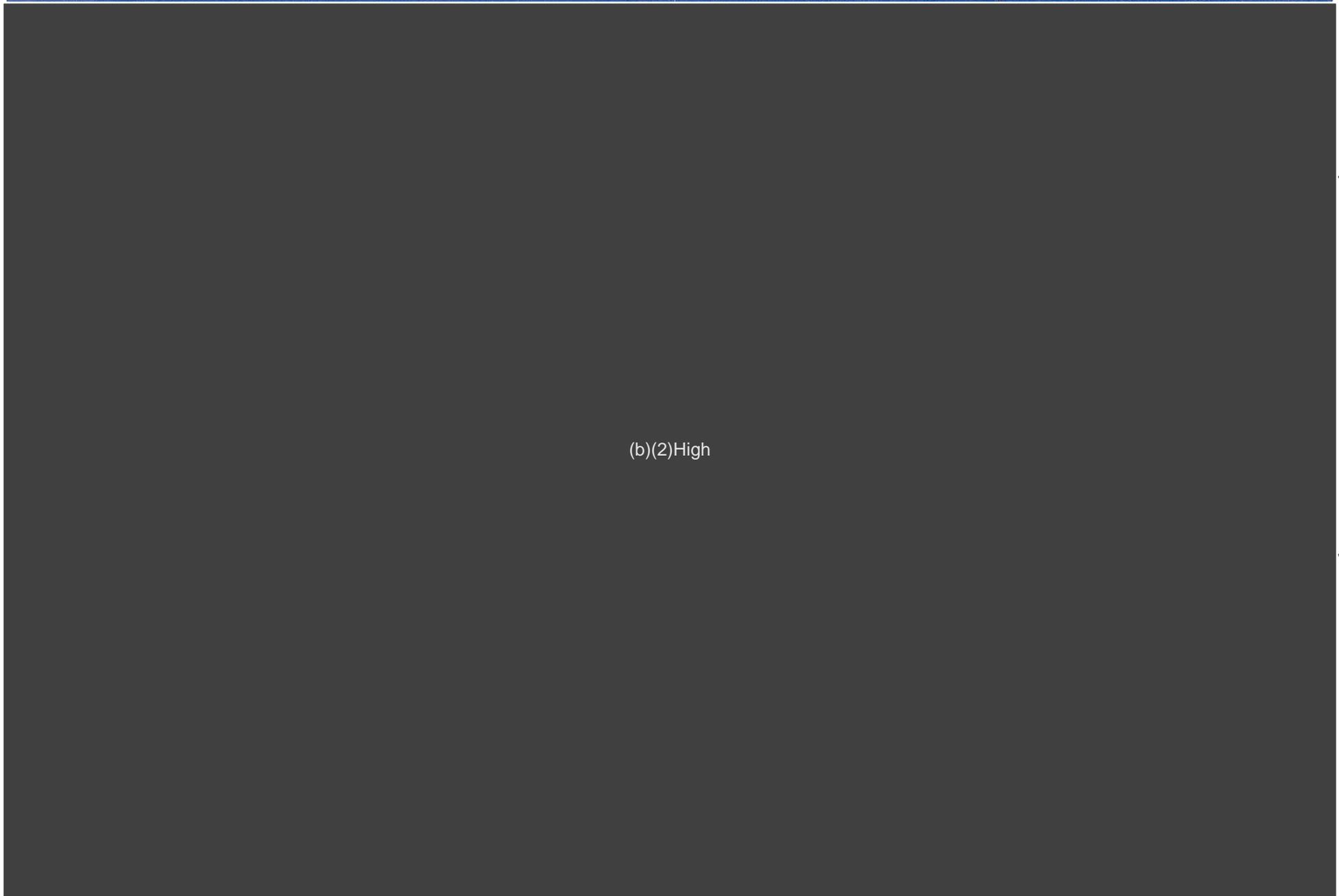
201



ANNEX A (DIAGRAM OF OPERATION)

14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID

NA



(b)(2)High

-Husk

orchard 2



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 COP Cahil (3),(b)	2. DATE (YYYYMMDD) (3),(b) 07/07/22	3. TITLE (3),(b) 0	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(3),(b)(6)	7. GRADE/STATUS (3),(b) O-2	

8. ORGANIZATION OR ADDRESS
A Co, 1-15 IN, 3/3 ID (3),(b)

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

Q: Describe "after 2nd squad had cover in a ditch" from your first statement.
A: I was talking about the deep irrigation ditch to the north of Route Croc at PL Yellow. We occupied this ditch when the first hail of fire began. We tried to move north to assault a potential enemy, but we noticed the ditch went east and was getting deeper. We just turned around then.

Q: Whose vehicles were on the road and where?
A: It seemed like everyone had vehicles on the road. I saw vehicles from EOD, National Police Training Teams (NPTT), National Police (NP), Baker Company, the battalion combat security detachment, and our Bradley Fighting Vehicles. I believe this was the order they were in. I think all of these vehicles on the road impeded our operations. There was no spacing on the road.

Q: Describe the DSHK location and what direction it was firing.
A: I did not see the DSHK fire, but it was located in the vicinity of the Pepsi Factory.

Q: Did you ever see 2/A at any time? Where? When?
A: No, I never saw 2/A.

Q: Do you think 2/A knew 3/A's location? How would they know it?
A: No, I don't think they knew where we were.

Q: Did you have communications with your platoon and the other platoons?
A: Yes, I maintained the platoon net on my MBITR radio and my RTO maintained the company net.

Q: Where was the link up point and how was it established?
A: The link up point was on Route Croc at the intersection of PL Yellow. I saw a person from our platoon on the road to establish the link up.

Q: When was the last time you had situational awareness of 2/A?
A: I had no situational awareness of where 2/A was.

Q: Did LT (3),(b) ever talk to you about the incident afterwards? What did he say? Did he ever say he thinks he fired on our platoon?
A: Yes, I discussed the matter with him later that day. He re-told the story numerous times. He never said that he or his platoon ever fired at 3/A accidentally, just that they fired in that general direction. The way he had tears in his eyes when he mentioned that he felt a sense of terror and fear when he saw ACUs in the woodline below him leads me to believe that he may have been firing at our position.

Q: Describe the slope from Route Croc to 1st Squad of 3rd platoon. Is it possible for someone to see or fire on 3/A from Route Croc?
A: There is approximately a 10 foot drop off directly off of Rte Croc. Between our position and Route Croc there was a fence, weeds all over the fence, bushes, high grass, and many trees. The platoon was approximately 20 feet away from Route Croc at the nearest point and 30 feet away from the furthest part of the platoon. Because Route Croc is elevated, it would be difficult to place aimed fire on my platoon. Shots from the prone position from Route Croc would probably hit the tree tops. Perhaps the casualties we sustained were from ricochets off of the trees.

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

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3),(b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(6), (b)(3) TAKEN AT 2200 (b)(3), (b)(6) DATED 2007/07/22 (b)(3), (b)(6)

9. STATEMENT (Continued)

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

AFFIDAVIT

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

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

WITNESSES:

SGT (b)(3), (b)(6)
SGT (b)(3), (b)(6)
A CO 1-15 INF 230E SLD
ORGANIZATION OR ADDRESS

SSG (b)(3), (b)(6)
SSG (b)(3), (b)(6)
A CO 1-15 INF 230E SLD
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at Cap. Cahill 1566

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

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

Dattalion XO
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

TAB 6

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: FOB HAMMER, IRAQ
2. DATE: 20070719
3. TIME: 2117
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(3)
6. SSN: (b)(3), (b)(6)
7. GRADE/STATUS: E-7/SFC
8. ORGANIZATION OR ADDRESS: ACO1-15 IN, 3D BDE, 3D ID APO AE 09308-5956

9. I, (b)(6), (b)(3), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 14 MAY 07 AT 0500HRS, ACO1-15 MOVED TO CONDUCT A COMPANY ATTACK ON AL-DURAYIA, IRAQ. THIS ATTACK WAS CONDUCTED WITH THE IRAQI NATIONAL POLICE. AT 0600 WE WERE STAGED AT (b)(2)High. WE WAITED FOR APPROXIMATELY 45 MINUTES FOR THE NATIONAL POLICE TO BEGIN MOVING BEHIND THE ROUTE CLEARANCE TEAM ON FOOT AND IN VEHICLES. OUR FIRST OBJECTIVE WAS LABELED NAI A1 AT (b)(2)High. I WAS MOVING WITH 1ST SQUAD ALONG WITH MY MEDIC, SPC (b)(3), (b)(6). MOVING WITH US WAS CPT (b)(3), (b)(6), ILT (b)(3), (b)(6), SGT (b)(3), (b)(6), AND SPC (b)(3), (b)(6). 1ST SQUAD WAS RESPONSIBLE FOR ENTERING AND CLEARING NAI A1 (SOUTH). NAI IA WAS THE 3 BUILDINGS SOUTH OF ROUTE CROC. WITH NATIONAL POLICE TO THE EAST AND 2ND SQUAD TO THE NORTH OUR RESTRICTIVE FIRING LINE LEFT NO WHERE TO SHOOT EXCEPT TO THE SOUTH. 1ST SQUAD ENTERED AND CLEARED NAI A1 (SOUTH). NO WEAPONS, EQUIPMENT, OR PERSONEL WERE FOUND. FROM THERE WE MOVED EAST ALONG ROUTE CROC ALONG THE WALL OF NAI A1 SOUTH COMPOUND. AT THE END OF THE WALL WE FOUND A ROAD THAT MOVED TOWARDS THE RIVER. WHILE MOVING TOWARDS THE RIVER WE FOUND A HOLE IN THE FENCE AND BEGAN TO SPREAD OUT AND MOVED TOWARDS THE EAST. WE MOVED EAST TO A SMALL HOUSE AT (b)(2)High AND ROAD THAT WENT BACK TO A GATE ON ROUTE CROC. 1ST SQUAD ENTERED AND CLEARED THE HOUSE. ONCE THIS WAS COMPLETE, CPT (b)(3), (b)(6), ILT (b)(3), (b)(6), SGT (b)(3), (b)(6), AND SPC (b)(3), (b)(6) MOVED INSIDE AND THE MEMBERS OF 1ST SQUAD MOVED TO A SHADED AREA ABOUT 5 METERS NORTH OF THE HOUSE. I MOVED TO ILT (b)(6), (b)(3) TO GIVE HIM OUR CURRENT GRID POSITION. AS I STOOD THERE ILT (b)(3), (b)(6) CALLED OUR GRID TO DRAGON 3D FIRES. CPT (b)(6), (b)(3) THEN CALLED WHITE PLATOON TO MOVE TO CONDUCT LINK UP WITH US SO WE COULD MOVE TO NAI B. AT APPROXIMATELY 0900 WE PICKED UP TO MOVE TO ROUTE CROC, AS WE BEGAN TO MOVE WE RECEIVED ONE PRECISION SHOT FROM ACROSS THE RIVER (TO THE SOUTH). WE ALL ANNOUNCED CONTACT, AS WE TURNED TO FACE CONTACT AND REPOSITION 3 ADDITIONAL SHOTS CAME FROM ACROSS THE RIVER.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [NAME] TAKEN AT [LOCATION] DATED [DATE]"
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 SFC (b)(3),(b)(6) TAKEN AT FOB HAMME (3),(b) DATED 19 Jul 07 (3),(b)

9. STATEMENT (Continued)

AS SOON AS WE TURNED TO FACE THE RIVER, WE STARTED TO RECEIVE FIRE FROM ROUTE CROC TO OUR NORTH. THE TREES AND GRASS SEEMED TO BE LIKE THEY WERE BEING CUT DOWN WITH ALL THE FIRE FROM ROUTE CROC



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

THAT IS WHEN SSG (b)(3), (b)(6) AND I BEGAN MOVING TO CHECK OUR SOLDIERS AND DOC (b)(6), (b)(3) MOVED TO TREAT SFC (b)(6), (b)(3) WHO HAD BEEN SHOT. I YELLED CEASE FIRE OUT LOUD AND OVER THE RADIO THINKING WHOEVER WAS SHOOTING FROM ROUTE CROC COULD HEAR ME. I SAW SSG (b)(3), (b)(6) MOVE TO CROC TO ISSUE A CEASE FIRE AS I MOVED TO MY SOLDIERS. EVENTUALLY THE SHOOTING STOPPED AND I ASKED FOR EACH SOLDIER'S STATUS. PFC (b)(3), (b)(6) AND PFC (b)(6), (b)(3) SAID THEY WERE HIT AND SOMEONE SAID SGT DUNCKLEY WAS HIT AND NOT MOVING. BY THEN SSG (b)(3), (b)(6) RETURNED FROM ROUTE CROC AND I ASKED HIM TO CHECK SGT DUNCKLEY'S STATUS.

INITIALS OF PERSON STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

AS I GOT TO PFC (b)(3), (b)(6), PFC (b)(3), (b)(6) CAME TO ME, AND JUST AS I WAS ABOUT TO ASK HIM TO TREAT PFC (b)(6), (b)(3) HE SAID I THINK I'M HIT. I LOOKED UP AS HE WAS TALKING AND SAW THE BLOOD FROM HIS FACE WOUND. I YELLED FOR DOC (b)(3), (b)(6) AND THEN TOLD PFC (b)(6), (b)(3) TO TREAT PFC (b)(6), (b)(3). I MOVED PFC (b)(3), (b)(6) TO THE HOUSE FOR COVER. DOC CHECK HIM OUT AND I HANDED PFC (b)(6), (b)(3) OFF TO PFC (b)(3), (b)(6) (WHO HAD JUST ARRIVED. DOC (b)(6), (b)(3) MOVED TO PFC (b)(6), (b)(3) AND SSG (b)(6), (b)(3) YELLED FOR DOC (b)(6). I INFORMED THE COMMANDER I HAD 3 WIA AND 1 WIA SERIOUSLY INJURED. I MOVED TO WHERE SSG (b)(3), (b)(6) AND DOC WERE TREATING SGT DUNCKLEY, BY THEN SGT DUNCKLEY HAD PASSED AWAY. (b)(3), (b)(6) I GOT ON THE RADIO AND TOLD BLUE 2 I NEEDED HELP, ONE MINUTE LATER 1LT (b)(3), (b)(6) ARRIVED AT OUR LOCATION AND EVACUATED OUR WOUNDED, CSM (b)(6), (b)(3) AND 1SG (b)(6), (b)(3) ARRIVED. CSM (b)(3), (b)(6) AND I PLACED SGT DUNCKLEY INTO A DISASTER BAG. I COLLECTED HIS EQUIPMENT AND PUT IT INTO A VEHICLE. CSM (b)(6), (b)(3) AND I CARRIED SGT DUNCKLEY UP TO ROUTE CROC. 1LT (b)(3), (b)(6) RETURNED AND PICKED UP SGT DUNCKLEY. I THEN REPOSITIONED MY PLATOON, RECONSOLIDATED, AND REORGANIZED. END OF STATEMENT. (b)(6)

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

WITNES: (b)(3), (b)(6)
SGT (b)(3), (b)(6)
A. CO 1/15 INF 3 BDE 3TD APD AE 09308-5956
ORGANIZATION OR ADDRESS
(b)(3), (b)(6)
SSG (b)(3), (b)(6)
A. CO 1-15 INF 3 BDE 3TD APD AE 09308-5956
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2007 at Camp Cahill Iraq
(b)(6), (b)(3)
(b)(6), (b)(3)
(Type Name)
Battalion XO
(Authority To Administer Oaths)

84

(b)(2)High

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 COP Cahill	2. DATE (YYYYMMDD) 2007/07/22	3. TIME 2200	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS E-7	
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID			

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

Q: Did your platoon receive the initial contact?

A: I believe the initial shots were fired at our platoon or at someone on the road (Route Croc).

Q: Was 1st Squad moving or static when you took the initial contact?

A: 1st Squad was on a knee preparing for movement to Route Croc as the initial rounds were fired.

Q: Describe the ditch that 2/3/A was in.

A: They were irrigation ditches may be 1 foot in depth.

Q: What was the location and the orientation of the people on the squad?

A:

Q: Did you or anyone positively ID the enemy forces?

A: I did not. The small house was in my line of sight. I do not know if anyone did ever positively ID the enemy.

Q: Did you physically see 2/A firing on 3/A? If yes, what makes you think this? Do you think the rounds fired by 2/A caused your platoon's casualties?

A: I never saw 2/A, so I never saw them fire at my platoon. The accuracy of the fire being received from my platoon leads me to believe it was US forces firing at us. There is a strong possibility it was these rounds that caused our WIAs and KIA. It could have been Red (enemy) rounds, Green (ISF) rounds, or Blue (US) rounds that hit my men, but I really think it was our own forces. The damage done to our equipment and the bullet holes in our equipment are consistent with that of a 5.56mm round. We also found a brass jacketed round in a PEQ-2 that I think is from a 5.56mm round.

Q: When was the last time you knew 2/A's location and how did you know it?

A: I was next to the company commander when he gave 2nd platoon our grid and the grid to the link up point on Route Croc. The last time I knew 2nd Platoon location was when they were dismounted near the Pepsi Factory. Nobody else had a problem finding our grid. When we called in for multiple casualties, 1SG, the CSM, and the XO found our position easily. I don't know why 2nd did not know where we were.

Q: Did you ever have communications with the company and with your platoon?

A: I was talking to the platoon on my radio and I was next to the company commander who had communications with the company.

Q: When was the last time you had contact with 2/A?

A: After we passed our grid to 2/A, I never talked to them again.

Q: were there any vehicles on the road at the time?

A: Yes, there were many vehicles on the road. They belonged to the route clearance team, the combat security detachment, the National Police, and our 2nd and 3rd platoons with our M1151s and our Bradleys. All of these vehicles created a problem on the road.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)	PAGE 1 OF 2 PAGES (b)(3), (b)(6)
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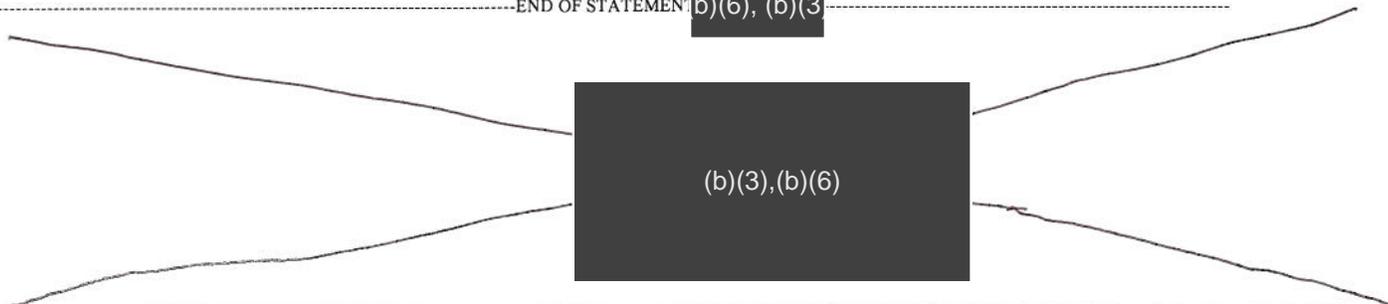
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

9. STATEMENT (Continued)

Q: Did your platoon ever return fire? In what direction?
A: As far as I know, only PFC (3), (b) fired his weapon. He fired two shots across the river trying to suppress where he thought the enemy was.
Q: Did you ever see the entrance or exit wound on SGT Dunkley?
A: I saw the exit wound. It was on the lower left quadrant of his chest. It looked like the round tumbled through his chest. It resembled a knife wound.
Q: Did you know where the NP were located throughout this operation?
A: I know they were to our north and to the east in front of us for most of the time.
Q: Did the NP ever fire any rounds?
A: I only saw them fire one round. I didn't see in what direction they were firing.
Q: Did you ever see a green tipped round in the body armor of SGT Dunkley?
A: I never saw it, but I know that Doc (3), (b) saw the round.
Q: Do you think 2/A knew where 3/A was at any time?
A: I don't know.
Q: Do you think 2/A could have been firing over the heads of your platoon to fire across the river?
A: I don't know exactly where 2/A was firing. They may have been firing across the river, but trees, tree limbs, and the grass all around us were getting cut down. The rounds were impacting all around us.
Q: Have you ever spoken with anyone from 2/A about the incident? If yes, with whom? What was said?
A: I have only spoken with SSG (3), (b) He never said anything about firing the platoon's weapons at my platoon. We just spoke in general terms.
Q: Describe the slope of the ground from Route Croc to 3/A? Is it possible for someone to be in the prone and see and/or fire upon anyone from 3/A?
A: There is a drop in elevation of about 6-10 feet immediately off of Route Croc. This elevation drops over the course of approximately 30 feet in length. I think it was possible to place fire on 3/A from the prone position on Route Croc (6), (b)

END OF STATEMENT (b)(6), (b)(3)



AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 (6), (b) 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

WITNESSES:

SGT (b)(6), (b)(3)
SGT (b)(6), (b)(3)
APC 115 L10 SGT S2D
ORGANIZATION OR ADDRESS
SSG (b)(3), (b)(6)
SSG (b)(3), (b)(6)
APC 115 L10 SGT S2D
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at Camp Bull
(b)(6), (b)(3)
(b)(6), (b)(3)
Battalion XO
(Authority To Administer Oaths)

TAB 7

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: FOI HAMMER IRAQ (6), (b)
2. DATE (YYYYMMDD): 20070719 (6), (b)
3. TIME: 2236 (6), (b)
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(6), (b)(3)
6. GRADE/STATUS: E-6/1st.sgd/ldr (3), (b)(6)
7. ORGANIZATION OR ADDRESS: ACO 1-15 IN 3DBDE, 3DIP APOAE 09308-5956

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

On 14 May 2007 we (ACO 3rd Plt) conducted a mission into Durain as a Battalion level op. I was given the op order 13 May. After receiving the order I issued the order to my squad. Our initial Area of clearance was all buildings on the south of the road in NAI AI. Once clearance of the initial compound was down my squad continued clearance forward through the orchard with my squad was Blue 4 (SFC (b)(3), (b)(6) Put (b)(6), (b)(3) (Medic) Hardrock 6 (CPT (b)(3), (b)(6) his PSD & LT (b)(3), (b)(6) (F50). We came to the second structure that was on the south side of the road I sent my squad in to clear the structure. Once the structure was clear we did a secondary search of the orchard. Hardrock 6 moved up and occupied the building. 2nd sqd 3rd Plt came forward of my position and cleared the structures to my front once the orchard was searched I put my squad into a 360 degree perimeter in the orchard for local security. 2nd sqd 3rd Plt moved out and back across the road my Alpha Team lead by SGT (b)(3), (b)(6) I sent to the road for link up with a Sqd from 2nd Plt. After being on the road for about 10 to 15 min I pulled them back down to the orchard to get back in the perimeter. Shortly after that we heard a single shot followed by two more. We then started receiving fire on our position. I ran up the dirt road to the main road and started yelling cease fire to a squad that was on the road. I saw ssc (b)(6), (b)(3) and LT (b)(6), (b)(3) stand up and start

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [NAME] TAKEN AT [LOCATION] DATED [DATE]"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF SSG [REDACTED] (b)(3),(b)(6) TAKEN AT FOP HAMMER [REDACTED] (3),(b) DATED 19 Jul 07 [REDACTED] (6),(b)

9. STATEMENT (Continued)

yelling Cease fire. I then ran back down to my sqd. We immediately got the initial A.C.E report I saw SGT Dunkley down and ran to him first. I started my initial assesment and called PVT [REDACTED] (b)(6), (b)(3) the pit Medic we opened his vest and saw a green tip 5.56 round in the fold of the vest and opened it the rest of the way to get to the wound the exit wound was center chest doc treated and we monitored when all life functions ceased he called it and moved on. Next person I saw was PFC [REDACTED] (b)(6), (b)(3) he had a gunshot wound on the hand doc treated and we got him moving to the CCP. We moved to PFC [REDACTED] (b)(6), (b)(3) who was shot in the foot. I saw PFC [REDACTED] (b)(6), (b)(3) who appeared to be hit in the face both were moved to the CCP. The CCP was in the house that my squad had cleared the company was moving Bradley's up to collect the casualties and bring them to the PZ for air evac.

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

INITIALS OF PERSON MAKING STATEMENT [REDACTED] (b)(3),(b)(6) PAGE 2 OF 3 PAGES

STATEMENT OF

SSC

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

TAKEN AT

FOB HAMM

(3),(b)

DATED

19 Jul 07

(3),(b)

9. STATEMENT (Continued)

[Large redacted area containing the main body of the statement]

(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 3. 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

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

(Making Statement)

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

St

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2007 at FOB HAMM

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

(h)

Acc 1/15 INF 38DE 3ID APO AE 09308-5956
ORGANIZATION OR ADDRESS

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

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

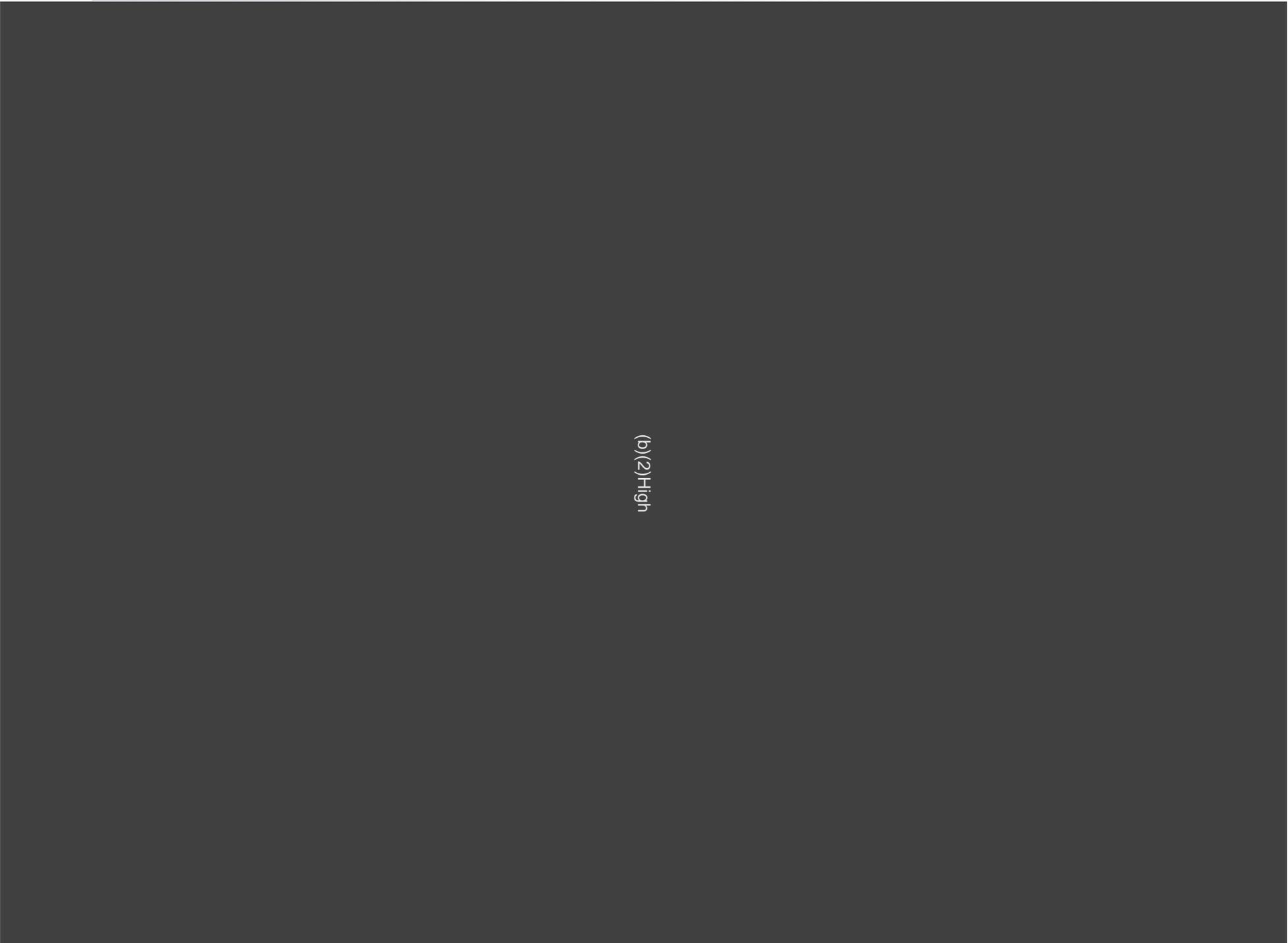
Acc 1/15 INF 38DE 3ID APO AE 09308-5956
ORGANIZATION OR ADDRESS

Battalion XV
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES



(b)(2)High

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 COP Cahill (3),(b)	2. DATE (YYYYMMDD) 2007/07/22 (3),(b)	3. TIME 2200 (3),(b)	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(3),(b)(6)	7. GRADE/STATUS E-6 (b)(3),(b)(6)	
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID (3),(b)(6)			

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

Q: Do you remember the positioning and orientation of the members of your squad?
A:

Q: Which direction did the first three shots come from?
A: The initial shots came from the southeast, but I do not know from which side of the river.

Q: Did the first three shots hits anyone in your squad?
A: No.

Q: When your squad began receiving large volumes of fire, how did you know from which direction it came?
A: The rounds were impacting towards the river. They must have come from the north because of the direction the debris was traveling.

Q: Did you ever see 2/A firing at 3/A?
A: I saw 2/A firing, but I did not see which way their muzzles were pointing. All I know is that after the cease fire, there were no more rounds impacting in the vicinity of my platoon.

Q: Did you ever see the entrance and exit wounds on SGT Dunkley?
A: Yes. The entrance wound was behind his left shoulder and the exit wound was on the lower left quadrant of his chest.

Q: Where did you find the green tipped round?
A: When I opened up the first flap of his Interceptor Body Armor (IBA), the round dropped out. Doc (3),(b) pointed it out asked if that was a green tipped round and I responded, "Yes."

Q: What was the company and platoon direct fire plans?
A: The company fire plan was the same as the platoon one. We could not fire to the north due to the NP; we could not fire to the rear due to friendly forces; we had to be careful when firing to our front because of the route clearance team in front on us; and we had to positively ID the enemy before firing to the south because of the Special Forces operations going on south of the Tigris.

Q: Did you have communications with 2nd platoon or the company?
A: I was near the CO who had the company net and the PSG who had the platoon internal net.

Q: Where was 2/A supposed to link up with you?
A: I was told to link up with 2/A at the intersection on Route Croc and PL Yellow.

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

9. STATEMENT (Continued)

Q: How would 2/A know where you were for the link up?

A: We were told to have a guide on Route Croc. I thought since I was with the company commander that they would have communications with 2/A.

Q: Did you or anyone else ever positively identify the enemy?

A: No.

Q: Did anyone ever return fire? Who? When? In what direction?

A: Yes, PFC (b)(3), (b)(6) returned 2 or 3 rounds across the river where he believed the initial rounds came from.

Q: Did you know the National Police location?

A: Unknown at this time.

Q: How many vehicles were on the road?

A: There were too many vehicles on Route Croc. There were Eliminator vehicles, National Police vehicles, the CSD, and two companies of M2 BFVs and M1151s. The roads are already narrow, but they were extremely congested with all of these vehicles.

Q: Did anyone else fire across the river?

A: I do not know.

Q: Do you think a friendly fire incident occurred? Explain.

A: Yes, I do. I have never seen a green tipped Iraqi round before. Also, the exit wound was too small to belong to a 7.62mm round fired from an AK-47 or AK-74. I also know from sight this was a 5.56mm. Finally, when I called for the cease fire from 2/A, the rounds finally stopped impacting around my platoon.

Q: If yes, do you believe this friendly fire caused the KIA and WIAs in 3/A? Explain.

A: Yes. I saw the rounds impacting from north to south.

Q: Could 2/A have been firing over your heads and onto targets on the south side of the river? Did you receive ricochets from the trees?

A: There is a small possibility 2/A was firing across the Tigris, but it is not likely. Those were not ricochets coming from the trees. Those rounds were being fired much too close to us to think they were firing across the river.

Q: Describe the slope from Route Croc to 3/A. Is it possible to see/shoot at 3/A from Route Croc?

A: There was a drop in elevation of about 5 feet right off of Route Croc. This grade of slope extended 15 feet from Route Croc. Our platoon was no more than 150 feet away from the road. I was able to run the distance in about 5 seconds when I was trying to get 2/A to cease fire.

-----END OF STATEMENT-----

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

AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3, (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 FREE FOR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature) Making Statement)

WITNESSES:

SGT (b)(3), (b)(6)
SGT (b)(3), (b)(6)
ACo 1115 IN 300F 3ED
ORGANIZATION OR ADDRESS
SSG (b)(3), (b)(6)
SSG (b)(3), (b)(6)
ACo 1-15 INF 300F 3ED
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at CP Co. Ill

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

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

(Type)

Battalion XO
(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES (b)(6)

TAB 8

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.
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1. LOCATION Fob Hammer, Iraq (3),(b)	2. DATE (YYYYMM) 20070719 (3),(b)	3. TIME 2236 (3),(b)	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. SSN 627-01-4603 (3),(b)	7. GRADE/STATUS E-5 / Sgt (3),(b)	
8. ORGANIZATION OR ADDRESS A Co 1/15 Inf 3 Bde 3 ID APO AE 09308-5956 (3),(b)			

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

On 14 May 2007 Alpha Company 1-15 was tasked for Operation Beach Yellow. Before we even hit ground in Dura'iyah, we conducted a briefing as to what we were going to do and how. We already knew that there was going to be a route clearance team ahead of us for the whole mission so we couldn't fire in front of us (to the east) during the mission. We knew there was 2nd platoon and battalion vehicles behind us, to the west so we couldn't fire there. Then we were told there was going to be National Police to our North so we couldn't fire there either. The only clear sector of fire was South towards the river. Even this wasn't absolutely safe because we were told there was going to be a SF team somewhere in the area across the river. Ultimately if we were going to shoot it was going to have to be accurate shots on positively ID'd enemy positions by single shots and we weren't going to be able to use suppressive fire. When we finally got on the ground in Dura'iyah we (1st Squad) cleared our first objective while 2nd Squad simultaneously cleared the Pepsi factory. After we were done with that, we moved East along RTE Croc to a trail just south of the Pepsi factory passed our first obj. We continued to move South along the trail until we hit our LOA which was the river. We then spread out along the orchard area in a wedge formation moving east. At this point we were searching for any caches while the soldiers walking along close to river were keeping eyes on the other side searching for insurgents or any suspicious activity. Our movement was approximately 300 m from the trail to the fence. When we could not go any further I took my team (Alpha team 1st Squad) to clear the building at the end of the orchard. Once this building was clear, our squad took a tactical halt and pushed out 360° security inside the orchard.

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

STATEMENT OF (b)(6), (b)(3) (3), (b) TAKEN AT FOB Hamm (3), (b) DATED 19 Jul 07 (6), (b)

9. STATEMENT (Continued)

on the west side of the house. At this time we were trying to link up with 2nd platoon who was making their movement North down RTE Croc. SSG (b)(6), (b)(3) and myself ran up the trail leading from the house north to RTE Croc to do a face to face with 2nd Platoon. We waited there anywhere from 15 to 20 minutes before we decided to head back down to our Security position when 2nd platoon didn't show. I got back down to my position and readjusted my soldiers sector of fire and made sure they were behind adequate cover. From where we were I thought we were in good cover as there was a berm in between us and the river and we were in low ground to the road so it was almost like a little valley. We were in this position for about 20 minutes I then heard one shot followed by a good long burst, until finally everywhere around us was being suppressed. Bullets were hitting all around us within inches of everybody. I could not identify where the fire was coming from so I did not engage. After a long 2 minutes the suppressive fire started to die down. At this point we were getting reports of who was hit. PFC (b)(3), (b)(6), PFC (b)(3), (b)(6), PFC (b)(3), (b)(6) and SPC (b)(6), (b)(3) all called up that they were hit so we acted quickly to give them buddy aid and get them inside the house. We also noticed that SGT Dunckley was hit bad and eventually died on scene. Our medic reported that upon opening his vest he could see the green tipped 5.56 round just under SGT Dunckley's chest. We then called in for an evac and one of our Bradleys came down to the house so we could take the four WIA to the LZ. After that we went up to the orchard and assisted in prepping to move SGT Dunckley's body to the Bradley; when we did and started to move up to RTE Croc I had then noticed that 2nd Platoon was on line right above our position on the main road and there were 556 cases all over the ground. I then became aware that all of the WIA injuries were not that consistent with the larger 7.62 round with the exit hole on the back of SPC (b)(6), (b)(3) leg being relatively small. Also when we got back on RTE Croc

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

NP were to our north, all US forces were were just on our position and to the west, and the Route Clearance was to our East. We then proceeded to continue mission with no other casualties. When we got back to our COP, and we brought in all the soldiers gear we discovered that PFC (b)(6), (b)(3) had got shot through his weapon and the bullet fragmented out and hit his face. Upon examination of the weapon the bullet hole through his weapon was the identical size of a 5.56 round. End of Statement - (b)(6), (b)(3)

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

I, (b)(6), (b)(3) WIT HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH I 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

WIT (b)(6), (b)(3) at COP Cabell base 2007
SGT A. CO 1/15 INF 3BDE 3ID APOAE 09308-5956 (b)(6), (b)(3)
ORGANIZATION OR ADDRESS (b)(6), (b)(3)
SSA (b)(3), (b)(6) (Type) Battalion XO
ORGANIZATION OR ADDRESS (Authority To Administer Oaths)

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 COP Cahill	2. DATE (YYYYMMDD) 2007/07/22	3. TIME 2200	4. FILE NUMBER (b)(6), (b)(3)
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID			

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

Q: Do you remember the positioning and orientation of the members of your squad?
A:

Q: Which direction did the first three shots come from?
A: I think the first shots came from across the river and they were aimed at SGT Gonzales.

Q: Did the platoon return fire? In what direction?
A: Yes, PFC (3),(b) fired two rounds across the river.

Q: What does "5.56 found under SGT Dunkley's chest" mean from your first sworn statement?
A: I heard PV2 (3),(b) the platoon medic, saw a 5.56mm rounds just under the skin of SGT Dunkley's chest.

Q: Did you know where 2/A was at any time?
A: No, I only saw them after the firing incident was complete.

Q: Did you ever see SGT Dunkley's wounds?
A: No, I never saw SGT Dunkley's wounds.

Q: Did you ever know the National Police location?
A: I knew they were to our north throughout the operation.

Q: Did the National Police ever fire their weapons?
A: I didn't see anyone fore their weapons. From our position, no one could possibly see anything.

Q: Did you or anyone ever positively identify the enemy who fired the first rounds?
A: No.

Q: What vehicles were on the road?
A: On the road were the route clearance vehicles, the BN CSD, and our M2s and M1151s

Q: What was the company and platoon direct fire plan?
A: Due to the friendly elements being everywhere, the platoon was limited to only firing what was positively identified as a threat and only using single shot.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)	PAGE 1 OF 2 (b)(6), (b)(3) PAGES
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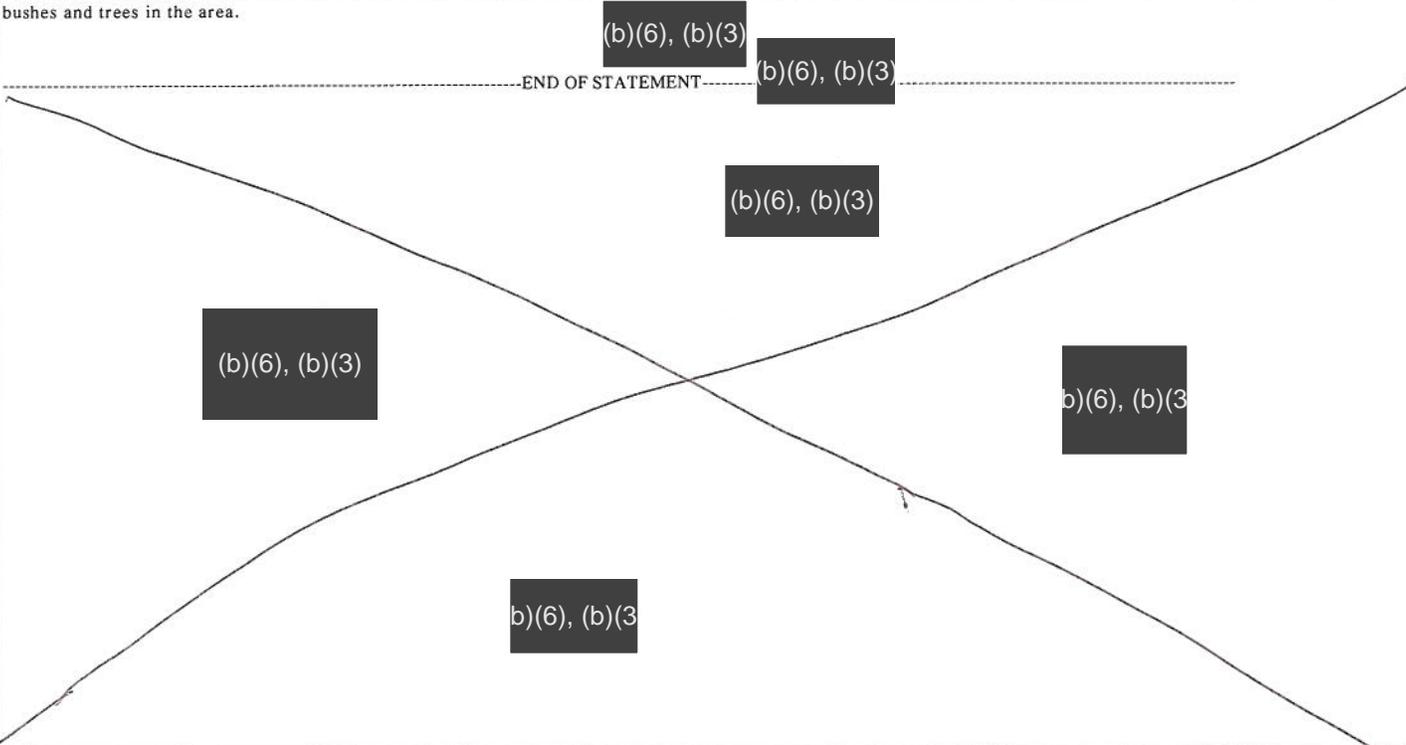
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

9. STATEMENT (Continued)

Q: Do you think a friendly fire incident occurred? Explain.
A: Yes, I do. From the damage that was done to our PEQ-2, an M4 with a bullet hole in it, and the small exit wound on (b)(3), (b)(3) leg looked like they all came from a 5.56mm round

Q: If yes, do you believe this friendly fire caused the KIA and WIAs in 3/A? Explain.
A: I do think 2/A caused our casualties. The suppression of the rounds were too accurate to have been coming from across the river or anywhere else except from Route Croc.

Q: Describe the slope from Route Croc to 3/A. Is it possible to see/shoot at 3/A from Route Croc?
A: There is a drop off of about 5 feet right off of Route Croc. This grade of slope continued for 30 to 50 feet from the road. It was possible for 2/A to have placed fires onto 3/A. However, it was very difficult to see. There was a fence right off of Route Croc, and this fence had weeds and shrubs growing on it. There were also a lot of bushes and trees in the area.



AFFIDAVIT

I, (b)(6), (b)(3), 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

WITNESSES:
SGT (b)(6), (b)(3)
SGT (b)(6), (b)(3)
A CO 1-15 INF 3 BDE 3 ID
ORGANIZATION OR ADDRESS
SSG (b)(6), (b)(3)
SSG (b)(6), (b)(3)
A CO 1-15 INF 3 BDE 3 ID
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)
administer oaths, this 22nd day of July, 2007
at Fort Campbell, TN
(b)(6), (b)(3)
(b)(6), (b)(3)
Sattalion XO
(Authority To Administer Oaths)

TAB 9

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 FOB Hammer Iraq (b)(6), (b)(3)	2. DATE (YYYYMMDD) 2007-07-19 (b)(6), (b)(3)	3. TIME 22:39 (b)(6), (b)(3)	4. FILE NUMBER
(b)(6), (b)(3)	(b)(6), (b)(3)	7. GRADE/STATUS (b)(6), (b)(3) E-3 / PFC	

8. ORGANIZATION OR ADDRESS (b)(6), (b)(3)
Aco 1-15 INF

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

On 14 May 2007 I was a part of 3rd Plt Aco 1-15 in a Battalion mission which was operation Beach Yellow in the Durriya area of Iraq. Our movement was west to east on route croc. We dismounted our vehicles (b)(6), (b)(3) about 2 to 300 meters before the Pepsi factory on route croc, and begin to move east. My squad, which is first squad 3rd Plt of Aco. took and cleared the building (b)(6), (b)(3) on the right side of the road and at the same time our 2nd squad took and cleared the Pepsi factory. Upon completion of (b)(6), (b)(3) clearing the buildings 1st squad we picked up and moved back onto route croc, moved east about 15 to 20 meters and moved right off the road south through a gate down a little road into the (b)(6), (b)(3) field south east of the Pepsi factory where we then all got on line and began to sweep east through the field towards the little house and me and my team which is Sgt (b)(6), (b)(3) me and PFC (b)(6), (b)(3), we moved up to the house and went in and cleared it, after that we linked up with the (b)(6), (b)(3) rest of our squad and (b)(6), (b)(3) pulled 360° security in the wooded area just north of the house about 5 meters south of the road or route croc. and we were pulling security there (b)(6), (b)(3) waiting for 2nd Plt to link up with us so that we could continue to move east on croc.

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

STATEMENT OF (b)(6), (b)(3) TAKEN AT Fob Hammer (3), (b) DATED 19 Jul 07 (3), (b)

9. STATEMENT (Continued)

We were polling security for about 5 to 10 mins before I saw 2nd PLT moving up route cross towards our position and they stopped parallel to our position up on the road and I could see that they were taking a knee facing our position and about two mins later one shot rang out from across the river and then two more quick shots and I got down looked towards the river and then (3), (b) SSG (b)(6), (b)(3) squad opened up fire at the same time I started shooting across the river but they weren't shoot across the river they were shooting directly into our area cause rounds started bouncing all around me and (3), (b) I looked back towards the road and all I saw were muzzle flashes coming from the guys from 2nd PLT and then I here cease fire, cease fire and the fire stopped I looked to the right of me at my buddy PFC (b)(6), (b)(3) who was bleeding badly from the face and I took him over to Doc (b)(6), (b)(3) and we began working on him and then I saw PFC (b)(6), (b)(3) and I then assisted (b)(6), (b)(3) in helping patch up the gun shot to his hand and we moved into the building for better cover and it was there that Doc (b)(6), (b)(3) began working on SPC (b)(6), (b)(3) as I cut off the boot of PFC (b)(6), (b)(3) and exposed his gun shot to the foot and I patched that up for him and prepared them for medevac and I remember

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

As I was working on PFC (b)(6), (b)(3) looking over and seeing SSG (b)(6), (b)(3) standing over SGT Donckley and I remember him saying he was dead. Then after preparing PFC (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and SPC (b)(6), (b)(3) to get medevaced I helped SSG (b)(6), (b)(3) go to our vehicles up on the road and get a body bag for SGT Donckley and then SFC (b)(6), (b)(3) along with SGM (b)(6), (b)(3) put SGT Donckley in the body bag and carried him up to the road to get medevac and it was then when I was up on the road pulling security that I heard that SGT Gonzalez from 2nd PIT had been killed.

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

AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. 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)(6), (b)(3) (Subscribing Statement)

WITNESSES: (b)(6), (b)(3) SGT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2007 at FOB Hammer

ACO 115 INF 3BDE 3FD APO AE 09308-5956 ORGANIZATION OR ADDRESS

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

(b)(6), (b)(3) SSG ACO 115 INF 3BDE 3FD APO AE 09308-5956 ORGANIZATION OR ADDRESS

Battalion XO (Authority To Administer Oaths)

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

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) .
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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION COP Cahill	2. DATE (YYYYMMSS) 2007/07/22	3. TIME 2200	4. FILE NUMBER (3), (b)(3)
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS E-3	
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID			

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

Q: Please clarify how far away from the road you stated you were in your first statement?
A: I was 5 meters from the road.

Q: Please describe the location and orientation of the people in the 360 degree perimeter.
A:

Q: Did you ever see 2/A on the road?
A: Yes, I saw 2/A on the road as they came walking by us. I saw them take a knee on the road above us. (6), (b) may have seen them too.

Q: Describe the low ground you were in.
A: There was high ground to our north on Route Croc and there was a 4 foot berm to our south. The berm concealed us from fires across the river except from the southwest.

Q: Did you or anyone else ever positively ID the enemy? Where? How did you ID?
A: No, I did not. I do not believe anyone did.

Q: Where did the first three rounds come from?
A: I could only tell from the audio. I think they came from across the river to the southwest. I fired two rounds in that direction across the river, and then all hell broke out. When I looked back, I saw muzzle flashes through the trees on Route Croc. The I saw the impacts around me.

Q: How do you know those were 2/A's rounds impacting next to you?
A: I saw 4 barrels flashing above us and there were impacts all around us.

Q: Where were the National Police (NP)? Could those rounds have come from the NP?
A: I knew the NP were to our north and in front of us. I don't think it could have been their rounds.

Q: Did you ever see SGT Dunkley's injuries?
A: From afar I could see SGT Dunkley had an injury 6 inches under his left armpit.

Q: Did you ever see the NP during the operation?
A: Yes, early on and well after the firing incident. I did not see them fire any rounds.

10. EXHIBIT	11. INITIALS (3), (b)(3)	ON MAKING STATEMENT	PAGE 1 OF 2 (3), (b) 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 BE INDICATED.

9. STATEMENT (Continued)

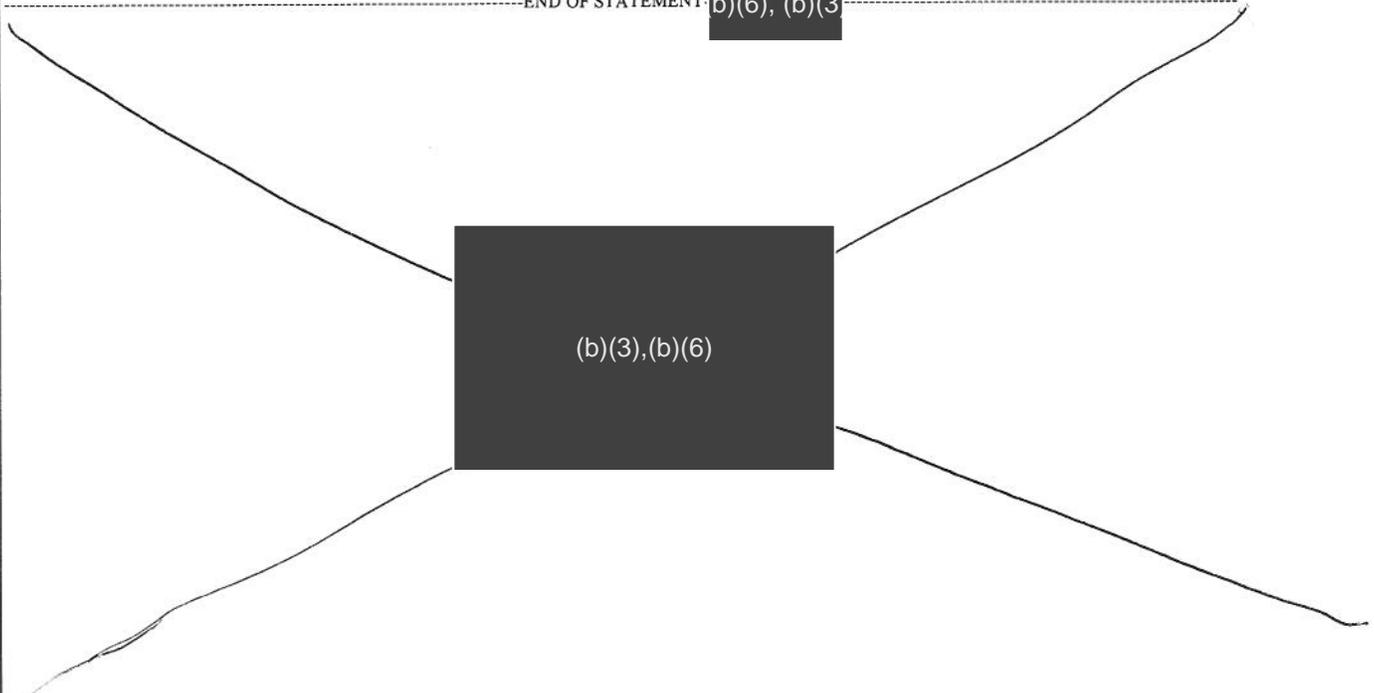
Q: Do you think a friendly fire incident occurred? Explain.

A: Yes, I do. I think the intent may have been to fire across the river, but the rounds landed all around 3/A.

Q: Describe the slope of ground from Route Croc to 3/A. Is it possible to see/fire on 3/A from Route Croc?

A: The ground decreases in elevation by about 5 feet right off of Route Croc. A friendly fire incident occurs over a 15 foot stretch from the road. The platoon was located 15 to 40 feet from Route Croc. It is possible to see and fire on 3/A from Route Croc (b)(3), (b)(6)

-----END OF STATEMENT----- (b)(6), (b)(3)



AFFIDAVIT

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

_____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 (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 INFLUENCE OR INDUCEMENT.

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

(Making Statement)

WITNESSES:

SGT (b)(6), (b)(3)
SGT (b)(6), (b)(3)
AC 1/15 INF 3 BDE 330
ORGANIZATION OR ADDRESS

SSA (b)(6), (b)(3)
SSA (b)(6), (b)(3)
AC 1-15 INF 3 BDE 330
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at CAP Cabill Texas

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

(Signature)

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

(Type)
Battalion XO
(Authority To Administer Oaths)

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

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

TAB 10

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: FOB HAMMER IRAQ
2. DATE: 21 JUL 2007
3. TIME: 2304
4. FILE NUMBER:
6. SSN:
7. GRADE/STATUS: E-3
8. ORGANIZATION OR ADDRESS: A Co 1/15 IN 3D BDE, 3D ID APO AE 09308 5956

I, (b)(6), (b)(3), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 14 MAY WE CONDUCTED OPERATION BEACH YELLOW IN DUR-YA. WE DISMOUNTED ON THE OUTSKIRTS OF THE TOWN AND PROCEEDED SOUTHEAST ON ROUTE CR0C WITH THE REST OF THE BATTALION. OUR SQUAD TOOK THE SOUTH SIDE OF ROUTE CR0C, SECOND SQUAD TOOK THE NORTH SIDE. EOD WAS IN THE FRONT OF THE MOVEMENT CLEARING THE ROUTE, THE REST OF OUR BATTALION WAS TO OUR WEST. OUR SQUAD CLEARED TO THE EDGE OF THE RIVER BANK. FROM THERE WE SPREAD THROUGH THE ORCHARD AND HEADED EAST CLEARING THE ORCHARD AND ANYTHING WE CAME UP TO. WHEN WE REACHED THE END OF THE ORCHARD THERE WAS A HOUSE WHICH MEMBERS OF MY SQUAD CLEARED OUT. THE CO, FSO AND THE CO'S PSD TOOK THE HOUSE AND PULLED SECURITY WHILE MY SQUAD TOOK UP THREE HUNDRED AND SIXTY DEGREE SECURITY, WHILE WE WERE WAITING TO LINK UP WITH SECOND PLATOON. WE WERE AWARE OF THE FACT THAT WE WERE SURROUNDED BY FRIENDLIES. WE HAD OUR SECOND SQUAD TO OUR EAST, EXIMINATOR TO OUR NORTH ON ROUTE CR0C. NATIONAL POLICE TO OUR WEST AND INTERMIXED WITH THE REST OF OUR FRIENDLIES. WE WERE ALSO INFORMED PRIOR TO OUR MISSION THAT SPECIAL FORCES WERE CONDUCTING OPERATION SOUTH ACROSS THE RIVER BUT WE WERE UNSURE OF THEIR LOCATION. BASICALLY WE HAD FRIENDLIES IN EVERY ~~LOCAL~~ (b)(3), (b) DIRECTION OF OUR LOCATION SO WE WERE VERY LIMITED ON OUR FIELDS OF FIRE. THE ONLY WAY WE COULD FIRE WAS IF WE SAW AN ENEMY ENGAGE A U.S. OR IRAQI SOLDIER WE POSITELY IDENTIFIED THEM AND TOOK A WELL AIMED SHOT. FROM OUR LOCATION WE WERE WHAT WE THOUGHT TO BE SAFE. WE COULD NOT BE FIRED UPON BY AN ENEMY FROM ANY DIRECTION

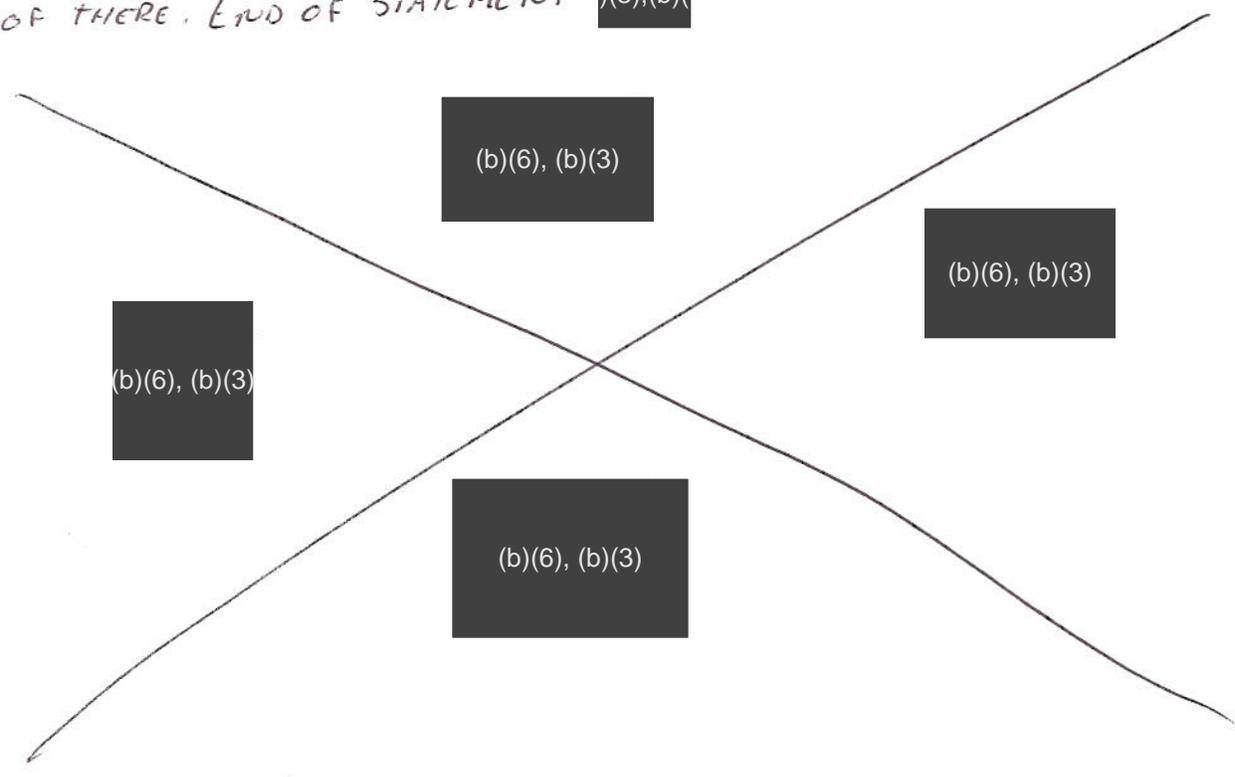
10. EXHIBIT:
11. INITIALS: (b)(3), (b) PERSON MAKING STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b) 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 PFC (b)(6), (b)(3) (3),(b) TAKEN AT FOB HAMMETT DATED 19 JUL 07 (3),(b)

9. STATEMENT (Continued)

AND THEM BE SUCCESSFUL IN HITTING ONE OF US. FRIENDLIES WERE TO OUR EAST, NORTH AND WEST, THERE WAS ALSO A LARGE BERM TO OUR SOUTH PREVENTING ANY FIRE FROM ACROSS THE RIVER. SSG (b)(6), (b)(3) SQUAD FROM SECOND PLATOON WAS THE FIRST TO REACH OUR LOCATION. HIS SQUAD TOOK A KNEE ON ROUTE CROC. AT THIS TIME THREE SINGLE SHOTS FROM ACROSS THE RIVER IMMEDIATELY AFTER THAT WE WERE FIRED UPON EVERY ONE HIT THE DIRT FROM MY POSITION I SAW SSG (b)(6), (b)(3) RUN TO THE ROAD AND YELLED CEASE FIRE AFTER HIS ACTION WE STOPPED BEING FIRED UPON. AFTER THAT WE ASSESSED THE CASUALTIES. SGT DUNKLEY WAS KILLED. PFC (b)(6), (b)(3) SHOT IN THE FOOT, PFC (b)(6), (b)(3) SHOT IN THE HAND, PFC (b)(6), (b)(3) SHRAPNEL TO THE FACE, AND SFC (b)(6), (b)(3) SHOT IN THE BUTTOX. SGT (b)(3), (b)(6) PUT A TURNIKET ON (b)(6), (b)(3) (b)(6), (b)(3) AND DOC (b)(3), (b)(6) TREATED (b)(6), (b)(3) I TOOK (b)(6), (b)(3) TO THE HOUSE WE CLEARED (b)(3), (b)(6) AND (b)(3), (b)(6) WERE ALSO TAKEN TO THE HOUSE FOR SO DOC (b)(6), (b)(3) COULD HAVE COVER TO TREAT THEM. SGT DUNKLEY WAS PUT IN A LITTER AND TAKEN OUT OF THERE. END OF STATEMENT (3),(b)(



INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3) PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

FOB HAMPTON (3), (b)

DATED

19 JUL 07

(6), (b)

9. STATEMENT

(Continued)

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

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

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

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

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

AFFIDAVIT

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

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 UNLAWFUL INDUCEMENT.

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

(Taking Statement)

WITN

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of July, 2007 at COP Cahill 1000

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

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

SGT

A CO 1-15 INF 3BDE 3ID APO AE 09308-5956

ORGA

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

SSG

APO AE 09308-5956 ORGANIZATION OR ADDRESS

Battalion XO (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

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 COP Cahill	2. DATE (YYYYMM) 2007/07/22	4. FILE NUMBER (b)(3), (b)(6)
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS E-5 E-5 (3), (b)
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID		

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

Q: Do you remember the positioning and orientation of the members of your squad when they had a 360 degree perimeter?
A:

Q: Describe your "safe" position.

A: That was where we stopped for a tactical pause. The safe position was between the high ground to the north and the berm to our south. The berm was four feet high, so it provided excellent concealment from anyone trying to fire across the river from the south.

Q: What was the company and platoon direct fire plan?

A: Due to the friendly elements being everywhere, the platoon was limited to only firing what was positively identified as a threat and only using single shot.

Q: Did you know where 2/A was at any time?

A: No. We waited for 20 minutes for the link up on Route Croc, but it never happened. We moved our men back into the woodline with their safety as the primary concern.

Q: Did the first three shots have any impact on the squad?

A: No, there was no impact to our squad.

Q: Did the platoon return fire? In what direction?

A: I do not remember anyone in our squad firing back across the river.

Q: Did you or anyone ever positively identify the enemy who fired the first rounds?

A: No, I did not. I do not know if anyone else did.

Q: Why do you feel your squad was fired upon. What direction did the fire come from?

A: I felt the dirt hitting my legs from the proximity of the impact of the rounds. I could not tell from what directions the rounds came. However, if the squad was in the prone, no one from across the river would be able to place effective fires on the squad because of the 4' berm.

Q: Do you think 2/A had situational awareness where you were?

A: I do not know. Our platoon knew where everything was. I assume 2/A may have known also.

Q: Did you ever see the wounds on SGT Dunkley?

A: I saw from afar how he had a serious wound in his chest.

10. EXHIBIT	11. INITIALS OF (b)(6), (b)(3) KING STATEMENT	PAGE 1 OF 2 (3), (b) 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 BE INDICATED.

9. STATEMENT (Continued)

Q: Do you think a friendly fire incident occurred? Explain.

A: Yes. I think a friendly fire incident occurred. This is because when 2/A ceased fire, the rounds around 3/A stopped impacting.

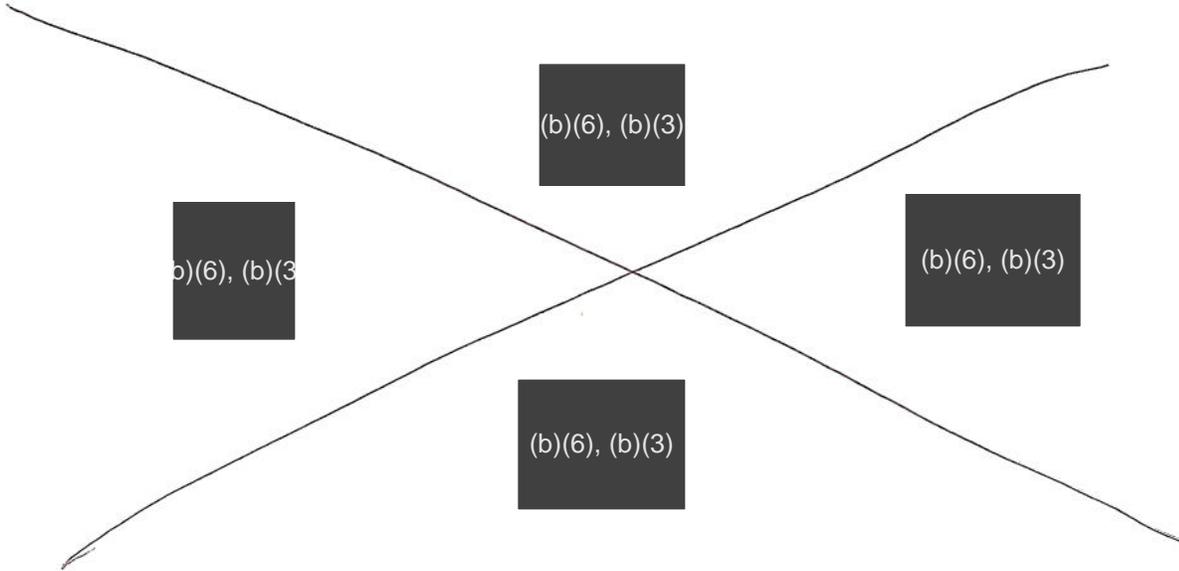
Q: Did you ever see 2/A firing on 3/A?

A: No.

Q: Describe the slope from Route Croc to 3/A. Is it possible to see/shoot at 3/A from Route Croc?

A: The elevation dropped 5 feet immediately off of Route Croc. This change in elevation extended up to 20 feet from the route. Yes, it is possible to be in the prone on Route Croc and still be able to see and fire on 3/A.

-----END OF STATEMENT-----



AFFIDAVIT

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

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

(Signature of Person Making Statement)

WITNESSES:

SGT

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

SGT

AC 715210 7800 3-D
ORGANIZATION OR ADDRESS

SSG

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

SSG

AC 1-15 INF 38DE 3IU
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at COP Cahill, Iraq

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

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

(Type

Battalion XO
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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

TAB 11

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	2. DATE (YYYYMMDD) 20070721	3. TIME 2300	(3),(b)	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	(3),(b)	6. (b)(3),(b)(6)	(3),(b)(6)	7. GRADE/STATUS E-2
8. ORGANIZATION OR ADDRESS Aco 4/15				

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

ON 14 MAY 2007, Hardlock elements abuse conducting a mission vic. Durayia. The mission was named opw Beach Yellow. Mission purpose was to search and clear the area and drive AIF safehouse in the Durayia area. I am assigned to Blue platoon Hardlock 1/5 inf as a medic. We dismounted from our vehicles near the orchard and walked up the hardball road, clearing structures and orchards along the way. We cleared up to the house and orchard in question, and took a tactical pause to let white platoon catch up. Blue 5 set his squad in security and waited for white. After a few minutes, we took contact. We all took cover in the branches that were in the orchard. SSG (b)(6), (b)(3) moved to the end to tell those on the road to stop firing. I took cover in the driveway and pulled security across the river. Blue I did not know where the fire was coming from at the time. I knew it was coming from the road once a burst of fire came from my right rear and moved up

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

STATEMENT OF (b)(6), (b)(3) TAKEN AT 2300 DATED 20070721

9. STATEMENT (Continued)

towards the river. SGT (b)(6), (b)(3) came to the doorway of the house and motioned for me to come inside that someone was hurt. I looked at the squad and saw everyone down so I moved to the house where I saw (b)(6), (b)(3) laying with a GSW to his leg. I cut his pants off and started to put a tourniquet on when SFC (b)(6), (b)(3) called for me to come outside. I saw Sushanny's injury was not life threatening so I left him in the care of HR30 and SGT (b)(3), (b)(6) I moved outside where SSG (b)(3), (b)(6) called for me to come to him. There I found SGT Dunkley, laying on his back. I opened his airway and saw he wasn't breathing. I opened his vest and found a 5.56mm round in his flap of the vest. I continued to open his vest and his top to reveal a ~~white~~ what looked like a small calibre wound to his chest. I put a piece of taci-dram on it and checked his pulse. He had NO pulse so I moved on. I moved to (b)(6), (b)(3) and saw he was hit in the foot. I put a tourniquet on his leg and called for someone to move him into the house. I then moved to (b)(6), (b)(3) to treat his hand. I treated that wound and asked someone to help him into the house. SFC (b)(6), (b)(3) brought me (b)(6), (b)(3) who was shot or grazed in the face. I told him to move inside the house once in the house. I continued to treat and evacuate the casualties while HR6 called up a medic. one medic arrived in the form of a bandage, we moved the patients to the evac site

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

and waited for the medical birds to arrive. once at the HLZ, I saw another patient lying in the field being treated by other medics. only after the medical was complete did I learn that SGT (b)(3),(b)(6) was hit and that white Platoon was moving up the road towards our position when he was hit (b)(3),(b)(6)

Nothing Follows
Nothing Follows
Nothing Follows

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

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

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

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

AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21st day of July, 2007 at COP Cahill, Iraq

HHC TF 1-15

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

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

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

HHC TF 1-15 ORGANIZATION OR ADDRESS

Battalion 4 (Authority To Administer Oaths)

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

white platoon

(b), (b)

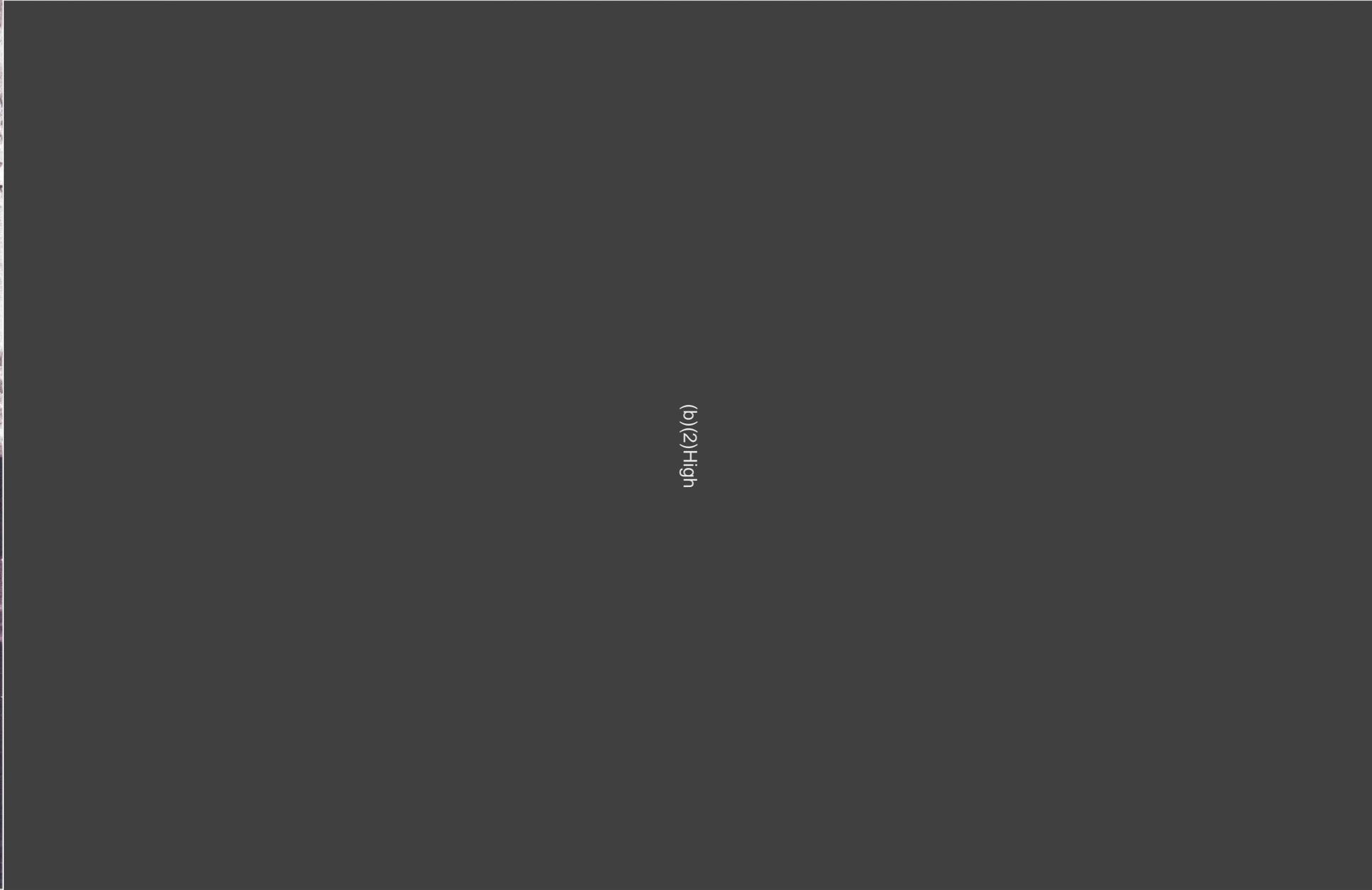
△ - Blue 4, Blue 5, Blue Dec
⊠ - Blue 5 squad

1 - ELEMENTOR GRIP TRUCK
○ - HR6, HR30

(b)



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

m

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 COP Cahill (b)(6), (b)(3)	2. DATE (YYYYMMDD) 2007/07/22 (b)(6), (b)(3)	3. TIME 2200 (b)(6), (b)(3)	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS E-2	
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID (b)(6), (b)(3)			

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

Q: From which direction did you initially take contact?
A: I do not know where the initial contact came from.

Q: Describe what you call trenches.
A: They are the irrigation canals that are about 1 foot in depth.

Q: When did you occupy these canals?
A: We occupied them during our tactical pause.

Q: Did you ever see 2/A?
A: I never saw 2/A until after the completion of the firing incident.

Q: Did you know their location? How?
A: I knew they were behind us and moving up to us by foot to establish link up. This is what Hardrock 6 (CO) told us. He was next to us.

Q: How did SSG (b)(3), (b)(6) know people were on the road above you? How did he know these people were firing at 3/A?
A: I don't know how he knew people on the road were firing at us. I just know that the impact of the rounds lead me to believe the firing was coming from the road.

Q: Did you or anyone else ever positively ID the enemy? Where? How did you ID?
A: No, I did not. I do not believe anyone did.

Q: How do you know the round you saw was a 5.56mm round?
A: It was smaller than a 7.62mm and it still had a green tip just the rounds in my magazines.

Q: Did anyone else see this round?
A: Yes, SSG (b)(3), (b)(6) also saw the round.

Q: Did you see the entrance and exit wound on SGT Dunkley?
A: I did not see the entrance wound, but I did see the exit wound. It was approximately 1 inch below his left nipple. It looked like a knife wound.

Q: Did you ever physically see 2/A firing on to 3/A?
A: No, I could not see because of the vegetation.

Q: Did you ever see the NP during the operation?
A: Yes, early on and well after the firing incident. I did not see them fire any rounds.

Q: Do you think a friendly fire incident occurred? Explain.
A: Yes, I do. The impact of the rounds and direction of the debris they were kicking up were consistent with rounds being fired from the Rte Croc.

Q: Did you ever see SGT Gonzales' wounds?
A: Only from afar. I know he had a head wound.

10. EXHIBIT	11. INITIALS OF MAKING STATEMENT (b)(6), (b)(3)	PAGE 1 OF 2 PAGES
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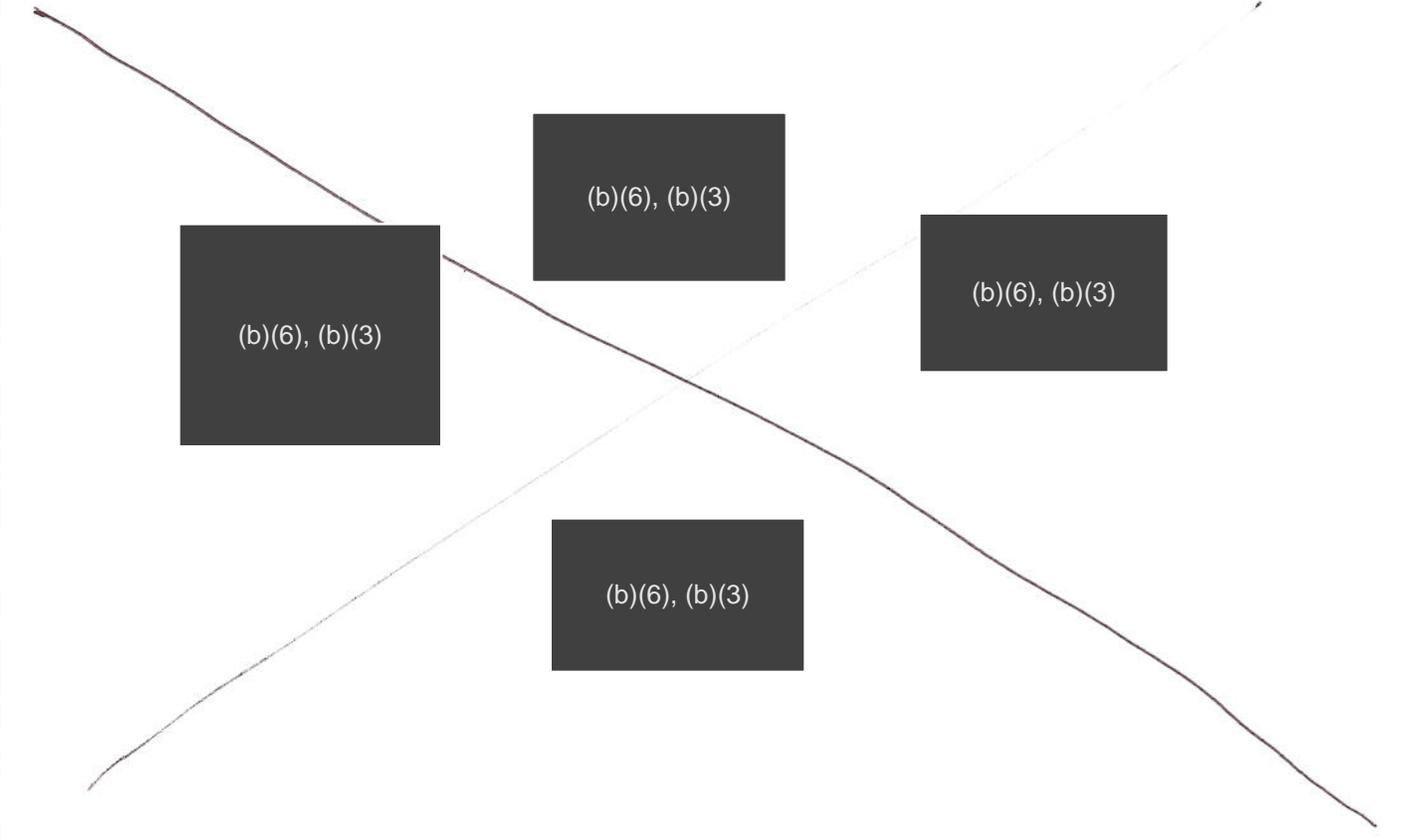
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

9. STATEMENT (Continued)

Q: Describe the slope of ground from Route Croc to 3/A. Is it possible to see/fire on 3/A from Route Croc?
A: There is a 10 foot drop off right off of Route Croc. This slope has a length of approximately 30 feet. The platoon was approximately 45 feet away from Route Croc. It was feasible to fire on 3/A from Route Croc, but it was highly improbable to see 3/A from Route Croc due to the vegetation (b)(3), (b)(6)

-----END OF STATEMENT-----



AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 33, (b)(6) FULLY UNDERSTAND THE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

WIT: SGT (b)(3), (b)(6)
Sgt (b)(3), (b)(6)
A Co 1-15 INF 3 BDE 3 ID
ORGANIZATION OR ADDRESS
SSG (b)(6), (b)(3)
SSG (b)(6), (b)(3)
A Co 1-15 INF 3 BDE 3 ID
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)
Subscribed by law to administer oaths, this 2nd day of July, 2007 at Fort Campbell Tenn
(b)(6), (b)(3)
(b)(6), (b)(3)
Battalion XO
(Authority To Administer Oaths)

TAB 12

SWORN STATEMENT

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

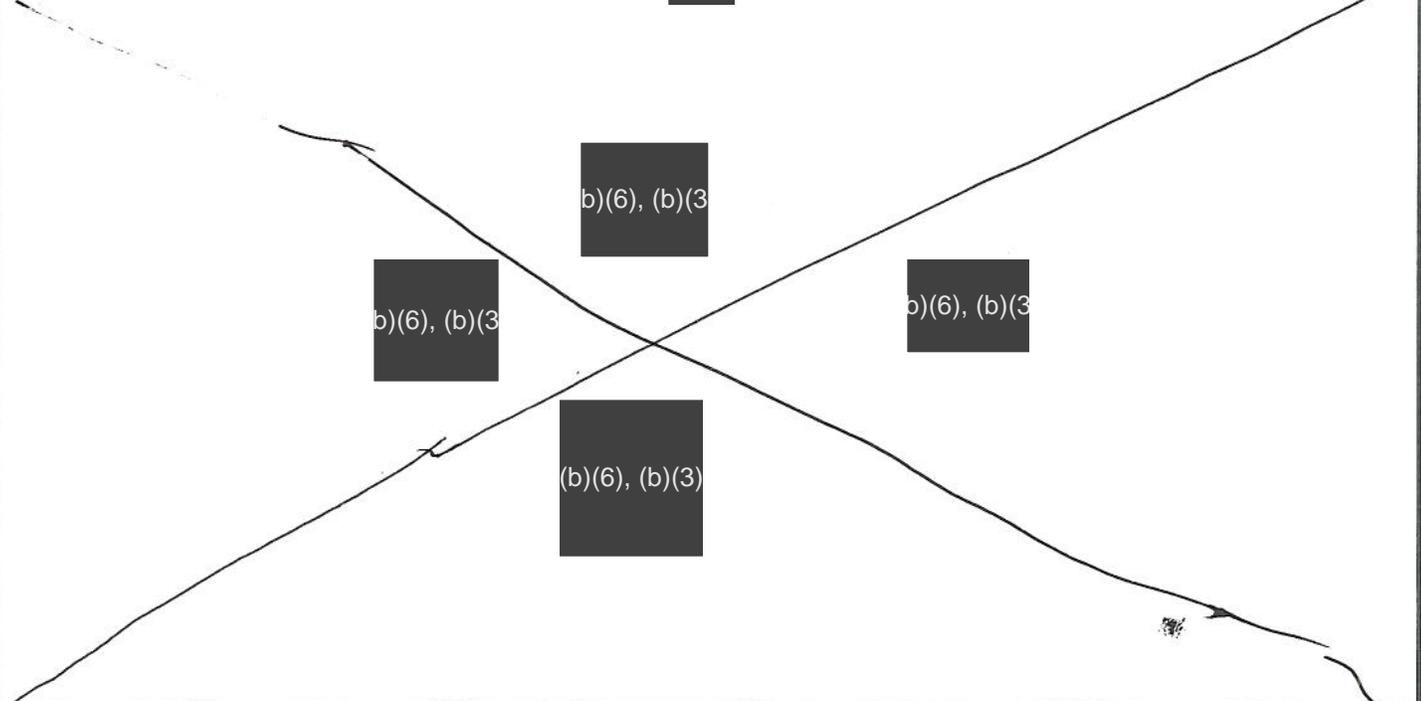
PRIVACY ACT STATEMENT

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 COP CAHILL (6), (b)	2. DATE (YYYYMM) 2007/07/22 (3), (b)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6) (3), (b)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS 02/1LT (3), (b)	
8. ORGANIZATION OR ADDRESS 1-15ACO 2nd PLT (3), (b)			

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

On 14 May 2007, while conducting operation beach yellow my position was assistant Platoon leader shadowing SFC (3), (b) because I deployed about a month after the rest of the company. SFC (3), (b) was the platoon leader and SSG (6), (b) was the PSG. The platoon dismounted about 50 meters before the Pepsi factory, the vehicles were so backed up we had to dismount because we could not travel by vehicle anymore. Once we were dismounted we traveled north on the road before of the Pepsi factory, to link up with 3rd platoon. While traveling up the road before the Pepsi factory SFC (3), (b) called LT (3), (b) to ask exactly where their PLT was located, he was informed that they weren't on the road we were traveling on, that they were east on rte croc about 100 meters in front of the forward most engineer vehicle. So we turned around and traveled back to route croc. Once on route croc SFC (3), (b) called 1LT (3), (b) again to confirm his current location and he told him they were in front of the forward most engineer vehicle. When we returned to rte croc, the vehicles were very and disorganized backed up, there were I.A tanks attempting to pass hmwv, Bradley's attempting to pass I.A vehicles. We began movement west on route croc, once we were about half way through the engineer convoy we received contact from the south side of the river, which SGT Gonzales was shot and killed. Once the gunfire came from the south side of the river everyone in the platoon did what they were taught to do in every training event we have ever conducted; seek cover and return fire. The platoon returned fire for about 3 or 4 seconds until it became apparent that there were friendly forces about 25 meters to the front left of our position. Once that was realized the command for cease fire was given by myself and the squad leaders. Once all fire was ceased I moved to the low ground where a element from 3rd platoon was located, as soon as I got to the low ground the fire started up again so I moved back to the high ground and gave the hand and arm signal as well as over the company net to cease fire. I moved back to the low ground to find SFC (3), (b) and a squad from 3rd platoon and SGT Dunkley laying on the ground with his IBA removed and bandages on his wounds. From there a medivac was called up for SGT Dunkley and SGT Gonzalez. Once they were picked up the company moved back to the road to continue mission (6), (b)



10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (3), (b)	PAGE 1 OF 2 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 BE INDICATED.

STATEMENT OF

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

TAKEN AT Cop Cahill

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

DATED 2007/07/22

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

9. STATEMENT (Continued)

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

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

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

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

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

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

AFFIDAVIT

I, (b)(6), (b)(3) (b)(6), (b)(3), 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 INDUCEMENT.

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

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of JULY, 2007 at

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

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

CPT AR (Administering Oath)

A Co. 1-15 IN ORGANIZATION OR ADDRESS

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

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

H/C 1/15 IN ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

LT

(e), (b)



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2) High

TIGRIS RIVER

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.
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1. LOCATION COP Cahill, Iraq (3),(b)	2. DATE (YYYYMMDD) 2007/07/23 (3),(b)	3. TIME 2200 (3),(b)	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3) (3),(b)	6. SSN (b)(3),(b)(6)	7. GRADE/STATUS O-2 (3),(b)	
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID (3),(b)			

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

Q: Did anyone ever give you a grid to the location of 3/A?
A: Not a grid, just a location - 50m-100m in front of the lead engineer vehicle.

Q: Did anyone ever tell which vehicle was the lead vehicle?
A: Yes, it was a Husky.

Q: Where was the link up point and how would it be recognizable?
A: The link up point was to be on the road in front of the lead engineer vehicle. A person from 3/A was supposed to be on the road.

Q: Did any engineer vehicles move after you were told about the link up?
A: I do not remember the engineer vehicles moving during the operation.

Q: Did you know 3/A was south of Route Croc?
A: I knew 3/A was operating on the south side of Route Croc.

Q: Where was SGT Gonzales when he was shot? Where was he facing?
A: SGT Gonzales was in the trail squad on the south side of Route Croc. He was facing south towards the sound of contact, facing the river.

Q: Did you see where SGT Gonzales was struck by the round? Where was the entrance wound?
A: I am not sure when SGT Gonzales was struck and I did not see his wounds.

Q: Did anyone positively identify the enemy? How? Where?
A: I did not. I don't remember anyone ever saying they did.

Q: Where was the platoon aiming when they returned fire?
A: All of the people on the south side of Route Croc returned fire directly to the south.

Q: What was the company and platoon direct fire plan?
A: Both vehicles and dismounted personnel were to stagger on the route and alternate their weapons orientation.

Q: What firing position was the platoon in when they returned fire?
A: Everyone was in the prone.

Q: Where was 3/A in relation to your fires?
A: They were directly to our south in the low ground.

Q: Why did you yell for the platoon to cease their fire?
A: I saw ACUs moving in the woodline about 25-30 meters to the south of Route Croc.

Q: Who fired the second volley when you went to check on 3/A? Why did they fire? Where were they firing?
A: When the second volley started, I could not see who was firing. I just ran up to the road and gave the call to cease fire. (6), (b)

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

9. STATEMENT (Continued)

Q: What was the location of the National Police (NP) throughout this operation?
A: The NP vehicles were intermingled amongst our vehicles and their dismounts were to the northwest.

Q: Did the NP ever fire any rounds? If yes, in which direction?
A: I don't know if they ever fired any rounds.

Q: Did anyone control the platoon's fires? If yes, who and how?
A: No one controlled the fires. The firing did not last long enough to control the fires. The men just found cover and returned fire.

Q: Did you think contact came from where 3/A was located?
A: The contact came from the south. It sounded like it came from the other side of the river.

Q: Did you ever see SGT Dunkley's wounds? If yes, describe them?
A: I only saw that SGT Dunkley had a chest wound and that the wound had a bandage on it.

Q: How close was 3/A to Route Croc?
A: 3/A was about 25 meters from the road

Q: Describe the slope from Route Croc to where 3/A was located. Is it possible to see and/or fire on 3/A from a prone position on Route Croc?
A: The slope was steep. It dropped 5 feet in elevation just two feet from the road. To fire on 3/A you have had to intentionally point your weapon downward.

Q: Do you think you or anyone from 2/A ever accidentally fired on 3/A? Explain.
A: No, I don't think 2/A ever fired on 3/A. It's possible, but it is unlikely anyone fired to the low ground because our contact came from the direction of the river.

Q: What have you told anyone about the incident?
A: I have talked to people and none of them think it was a friendly fire incident.

Q: Have you ever spoken to anyone who believes a friendly fire incident occurred? If yes, what did he say?
A: I have never spoken with anyone who thought we had a friendly fire incident (6), (b)

-----END OF STATEMENT-----

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

AFFIDAVIT

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

WITNESSES:

(b)(6), (b)(3)
ORGANIZATION OR ADDRESS
Acc 1/15 IN
(b)(6), (b)(3)
ORGANIZATION OR ADDRESS
Acc 1-15 IN
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of July, 2007 at COP Cabill Iraq
(b)(6), (b)(3)
(b)(6), (b)(3)
Battalion XO
(Authority To Administer Oaths)

TAB 13

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 COP CLAIRE, IRAQ	2. DATE (YYYYMMDD) 2007/07/22	3. TIME 1435	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3),(b)(6)	6. SSN (b)(3),(b)(6)	7. GRADE/STATUS SFC	
8. ORGANIZATION OR ADDRESS HHC 1/15 IN			

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

On 14 May 2007, we were conducting combat operations in conjunction with the National Police during Operation Beach Yellow II, 2nd Plt, A 1/15 In was lined up along route Croc when our Commander CPT (b)(3), (b)(6) told us to dismount and link up with 3rd Plt vicinity (b)(2)High After dismounting, 1st and 2nd SQD proceeded to move along route croc while the rest of the vehicles stayed on the road. After arriving at the village we made radio contact with 3rd Plt and they told us that they were in front of the convoy by the engineer vehicle. At that time we turned around, went back past the Pepsi factory and back to route Croc. As we were walking along Croc we starting receiving small arms fire from acrosss the river. My Platoon got down and started returning fire toward the river, seconds later we started receiving small arms fires from the other side of the road along the palm groves. After about a minute of firing, 1LT (b)(3), (b)(6) came back running to tell us to cease fire because we had friendlies around the curve on front of us. After the cease fire, we realized SGT Gonzalez was shot, we pulled him behind a vehicle and started administering first aid. He was then evacuated along with other personnel from 3rd Plt that were wounded. After all personnel were evacuated we were told to continue the mission.

NOTHING FOLLOWS

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

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

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

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

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

9. STATEMENT (Continued)

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

AFFIDAVIT

I, (b)(6), (b)(3), 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 UNLAWFUL INDUCEMENT.

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

(Making Statement)

WITNESSES:

2LT (b)(6), (b)(3)
HHC 1-15th IN 3/3 ID US Army

ORGANIZATION OR ADDRESS

SGT (b)(6), (b)(3)
HHC

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at COP Cahill, Iraq

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

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

Battalion KO
(Authority To Administer Oaths)

TAB 14

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 (b), (b) COB CAHILL
2. DATE (YYYYMMDD) (b), (b) 2007 07 22
3. TIME (b), (b) 1030
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b), (b) (b)(6), (b)(3)
6. SSN (b), (b) (b)(6), (b)(3)
7. GRADE/STATUS (b), (b) E-6 / ACTIVE
8. (b)(3), (b) A Co 1-15 INF

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

WHILE CONDUCTING MISSION BEACH YELLOW ON 14 MAY 2007, 2ND PLATOON ALPHA COMPANY CONSISTING OF 2 DISMOUNTED INFANTRY SQUADS RECEIVED THE ORDERS TO MOVE FORWARD AND LINK UP WITH THE COMPANY COMMANDER ON ROUTE CROC. AS WE BEGAN OUR MOVEMENT BLUE 1, CALLED ON THE RADIO AND STATED THAT THEY WERE JUST AHEAD OF THE LEAD ENGINEER VEHICLE IN THE LOW GROUND. AS WE CONDUCTED OUR DISMOUNTED MOVEMENT ON ROUTE CROC WE BEGAN TO RECEIVE SMALL ARMS FIRE FROM ACROSS THE RIVER. THE FIRST INITIAL ROUNDS WERE ONLY 3 TO 4 ROUNDS. 2ND PLATOON DISMOUNTED SOLDIERS DROPPED AND RETURNED FIRE ACROSS THE RIVER. I WAS ABOUT 2 STEPS BEHIND THE ENGINEER ACE VEHICLE SO I MOVED THERE. I CAN SAY WITHOUT ANY DOUBT THAT THE FIRST 3 TO 4 ROUNDS FIRED FROM ACROSS THE RIVER BECAUSE AS I MOVED BEHIND THE ACE I OBSERVED SGT. GONZALEZ GET IN THE PRONE POSITION (b), (b), AS I TOOK COVER THE SQUAD ON THE LEFT SIDE OF THE ROAD BEGAN TO RECEIVE SMALL ARMS FIRE I TOLD THEM TO STAY BEHIND COVER AND NOT TO FIRE BECAUSE I KNEW THE NATIONAL POLICE WAS IN THAT AREA. I THEN HEARD SFC (b)(6), (b)(3) AND OTHER SOLDIERS SCREAMING THAT SGT. GONZALEZ WAS HIT AT THE SAME TIME LT (b)(6), (b)(3) WAS SCREAMING CEASE FIRE. WHEN I MOVED TO SGT GONZALEZ HE WAS LAYING IN THE PRONE FACING THE RIVER ON TOP OF HIS WEAPON MYSELF AND ANOTHER SOLDIER PULLED HIM BACK BEHIND THE ACE VEHICLE TO BEGIN FIRST AID. LT (b)(6), (b)(3) CAME UP TO ME AND TOLD ME TO MOVE A SQUAD DOWN TO THE RIVER TO COVER 3RD PLATOON BECAUSE THEY HAD SOLDIERS THAT WERE HIT I MOVED A SQUAD DOWN AND LINKED UP WITH SFC (b)(6), (b)(3) I REMEMBER LOOKING TOWARD THE LEAD ENGINEER VEHICLE BUT WAS SHOCKED WHEN LT (b)(6), (b)(3) STOPPED SHORT AND WENT INTO THE LOW GROUND. I PLACED THE SQUAD IN POSITION AND HELPED WITH FIRST AID.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (b)(3) TAKEN AT (b)(6), (b)(3) DATED (b)(6), (b)(3)
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

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 COP Kayhill (3),(b)
2. DATE (YYYYMMDD) 20070722 (3),(b)
3. TIME 0945 (3),(b)
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)
6. GRADE/STATUS E-6/SSC (3),(b)
7. ORGANIZATION OR ADDRESS A Co 1-15 IN (3),(b)

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

On 14 May 2007 2nd PLT A Co 1-15 INF Conducted Operation Beach Yellow along w/TF 1-15 and attached Iraqi National Police. Initially we moved towards Dereea 1 on North side of the Pepsi Factor. We were then informed to move back to Route Croc and link up with 3rd PLT who had pushed past EOD vehicles. We proceeded towards Croc and started movement with My Alpha team consisting of CPL (b)(3),(b)(6) PFC (b)(3),(b)(6) PFC (b)(6), (b)(3) on the South side of Croc and SPC (b)(3),(b)(6) PFC (b)(3),(b)(6) and PFC (b)(6), (b)(3) on the North side of Croc. 2nd Squad followed behind with the 1st Sgt and attachments and SGM (b)(6), (b)(3) and East on Croc we received small arms contact from the South near the river. Immediately my alpha team returned fire and sought cover in the direction of the contact. All friendly soldiers were supposed to be further away by about 100 to 200 meters of EOD our furthest forward element from our platoon hadn't past EOD lead element at the time of contact. As I was assessing the situation I noticed while looking through my ACOG, barely through the thick brush on the side of the road, I noticed the leg of an American soldier and I immediately started yelling for a cease fire, at about the same time SSG (b)(6), (b)(3) from Blue Platoon was yelling to stop shooting. (b)(6), (b)(3) was also getting the cease fire command out. I moved down the line of my soldiers when I noticed that one soldier was hit it was SGT Gonzalez. I grabbed him and pulled him along with SPC (b)(6), (b)(3) to the North side of the Road to where our Medic was by the ACE vehicle. I then returned to where my squad was and then I was informed of the casualties in Blue Platoon to the south where our contact came from and (b)(3),(b)(6)

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3),(b)(6) TAKEN AT (b)(3),(b)(6) DATED (b)(3),(b)(6)
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 (b)(6), (b)(3) TAKEN AT COB CAHILL (b)(3), (b) DATED 2007 07 22

9. STATEMENT (Continued)

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

INITIALS OF PERSON MAKING STATEMENT

(b)(3), (b)

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

STATEMENT OF (b)(6), (b)(3)

TAKEN AT CoB CAHILL (b)(3), (b)

DATED 2007 07 22

9. STATEMENT (Continued)

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

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

AFFIDAVIT

_____, 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 UNLAWFUL INDUCEMENT.

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

WITNESSES:

(b)(3), (b)(6)
A Co 1-15 Inf

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

A Co LIS
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 07 at CoB Cahill

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

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

Battalion XO
(Authority To Administer Oaths)

INITIALS OF PER _____ STATEMENT

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

(b)(3), (b) E 3 OF 3 PAGES



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

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 (3),(b) COP Cahill	2. DATE (YYYYMMDD) (6), (b) (6), (b) (6), (b) (6) 2007/07/23 2200	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (3),(b) (b)(3),(b)(6)	6. SSN (b)(3),(b)(6)	7. GRADE/STATUS (3),(b) E-6
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID		

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

Q: Did you know where the lead engineer vehicle was?
A: Yes, I had eyes on the lead engineer vehicle (3),(b)

Q: How many vehicles were on the road? Where? Whose?
A: There were a lot of vehicles. There were route clearance vehicles, M1151s, NP vehicles, and our M1151s and M2 (3),(b)

Q: Did the engineer vehicles move at any time?
A: No, they remained static (3),(b)

Q: Did you or anyone in 2/A know where 3/A was located? How?
A: Yes, we thought we knew where 3/A was. 3/A platoon leader reported on the radio he was just forward of the lead engineer vehicle (3),(b)

Q: Did you or anyone in 2/A have communications with 3/A? When was the last time your platoon had radio contact with 3/A?
A: Yes, we had communications. The PL and PSG were on the company net (3),(b)

Q: Where was the last known location of 3/A?
A: Our last report of their location was when we were near the Pepsi factory and the location remained just forward of the lead engineer vehicle (3),(b)

Q: Where was the link up point with 3/A and how would you recognize it?
A: The link up point was the lead vehicle on Route Croc (3),(b)

Q: How far east was the platoon when you received contact?
A: We were just west of the bend in the road to the north of the house (3),(b)

Q: What was the location and orientation of your platoon when you first received fire?
A: 2nd squad was in the lead with their Bravo Team on the south side of the route and the Alpha Team on the north side, then headquarters, then our trail squad was 1st (b)(3),(b)(6) their Alpha team on the south side of the route and the Bravo Team on the north side of the route. Everyone was oriented to the east (6), (b)(6)

Q: What firing position were people in when they returned fire?
A: Everyone returned fire from the prone position (6), (b)(6)

Q: Did you or anyone in the platoon ever positively ID the enemy? How?
A: No one ever positively identified the enemy. There was too much vegetation (3),(b)

Q: What was the company and platoon direct fire plan?
A: There was no direct fire plan because we had not anticipated dismounting that early. We were supposed dismount vicinity Dura'aiya 1.5, not the Pepsi factory (3),(b)

Q: How did you know the first 3-4 rounds came from across the river?
A: The rounds came from the south and passed in front of us. I could el by the audio, but I did not see any impacts. I heard the rounds pass in front of me (3),(b)

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

STATEMENT OF (b)(6), (b)(3) TAKEN AT 2200 (b)(6), (b)(3) DATED 2007/07/23 (b)(6), (b)(3)

9. STATEMENT (Continued)

Q: Please give a cardinal direction when you refer to the left side of the road.

A: I mean the north side of the road (b)(6), (b)(3)

Q: From what direction were the Soldiers on the left side of the road receiving fire?

A: The Soldiers on the north side of Route Croc were receiving fire from the north. I was with them and I heard m108 impacting on the north side of M9 ACE as we were seeking cover from the fires to the south. I think it was the National Police who were firing in our direction (b)(3), (b)(6)

Q: Where did the squad take cover.

A: We tried to place people to the north of the ACE, but others found cover just off of the road. We told the teams on the north side to get behind a berm (b)(3), (b)(6)

Q: Where were the National Police (NP) located?

A: They were to the north and the northwest of our position (b)(3), (b)(6)

Q: Did they ever fire any rounds? If yes, in what direction?

A: Yes, they were firing in our direction (b)(6), (b)(3)

Q: Where was SGT Gonzales' location and orientation when you first received fire?

A: He was in the center of the trail squad. He moved to the south side of the road and oriented to the south (b)(6), (b)(3)

Q: When do you think SGT Gonzales was hit by a round?

A: I don't know when he was hit. I do know he was not hit by the first rounds that were fired. I saw him react to contact (b)(3), (b)(6)

Q: Why did LT (b)(3), (b)(6) yell for everyone to cease their fire?

A: I don't know why LT (b)(3), (b)(6) yelled cease fire (b)(3), (b)(6)

Q: Which side of the M9 ACE did you pull SGT Gonzales? Why?

A: We pulled him to the north side of the M9 ACE. We thought we would be safe from the fires coming from the south (b)(3), (b)(6)

Q: Why were you "shocked" in your last sworn statement?

A: I was shocked when I saw LT (b)(3), (b)(6) move south to link up with 3/A. I thought we had to move much further east before moving south to link up with them. I did not know we had forces to our south (b)(3), (b)(6)

Q: How far away from Route Croc was 3/A?

A: 3/A was 50m-75m away from Route Croc (b)(3), (b)(6)

Q: Did you ever see 3/A prior to firing your weapons?

A: No, no one knew 3/A was by the house (b)(3), (b)(6)

Q: Do you think that anyone ever accidentally engaged 3/A from Route Croc? Explain.

A: I don't know if anyone fired at 3/A. It is a possibility, but they should have been aiming across the river. The directions were to suppress across the river (b)(3), (b)(6)

Q: Did anyone in the platoon ever fire any rounds? In what direction?

A: A lot of people fired. They all fired to the south across the river (b)(3), (b)(6)

Q: Describe the slope of the ground from Route Croc to where 3/A was? Is it possible to see and/or fire on 3/A from the prone position on Route Croc?

A: The road drops off 10-15 feet within three feet from the road. It is a sharp drop off. Anyone in the prone cannot see 3/A because of the vegetation (b)(3), (b)(6)

Q: Have you talked with anyone who does think he may have fired on 3/A?

A: No, I have never spoken with anyone who thinks a friendly fire incident ever occurred (b)(3), (b)(6)

-----END OF STATEMENT-----

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

INITIALS OF PERSON MAKING STATEMENT

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

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

9. STATEMENT (Continued)

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

AFFIDAVIT

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

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

WITNESSES:

(b)(6), (b)(3)
A Co 1-15
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)
A Co 1-15
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23^d day of July, 2007 at (b)(6), (b)(3) (b)(6), (b)(3) Battalion 40 (Authority To Administer Oaths)

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

TAB 15

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 COP Kayhill (b)(6), (b)(3)
2. DATE (YYYYMMDD) 20070722 (b)(6), (b)(3)
3. TIME 0945 (b)(6), (b)(3)
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)
6. GRADE/STATUS E-6/SSG (b)(3), (b)(6)
7. ORGANIZATION OR ADDRESS A Co 1-15 IN (b)(6), (b)(3)

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

On 14 May 2007 2nd PLT A Co 1-15 INF Conducted Operation Beach Yellow along w/TF 1-15 and attached Iraqi National Police. Initially we moved towards Dereea 1 on North side of the Pepsi Factor. We were then informed to move back to Route Croc and link up with 3rd PLT who had pushed past EOD vehicles. We proceeded towards Croc and started movement with My Alpha team consisting of CPL (b)(3), (b)(6) PFC (b)(3), (b)(6), PFC (b)(6), (b)(3) and SPC (b)(6), (b)(3), PFC (b)(6), (b)(3) and PFC (b)(6), (b)(3) on the South side of Croc. 2nd Squad followed behind with the 1SG and attachments and SGM (b)(6), (b)(3) and East on Croc we received small arms contact from the South near the river. Immediately my alpha team returned fire and sought cover in the direction of the contact. All friendly soldiers were supposed to be (b)(3), (b)(6) further (b)(3), (b)(6) by about 100 to 200 meters of EOD our furthest forward element from our platoon hadn't past EOD lead element at the time of contact. As I was assessing the situation I noticed while looking through my ACOG, barely through the thick brush on the side of the road, I noticed the leg of an American soldier and I immediately started yelling for a cease fire, at about the same time SSG (b)(6), (b)(3) from Blue Platoon was yelling to stop shooting AT (b)(6), (b)(3) was also getting the cease fire command out. I moved down the line of my soldiers when I noticed that one soldier was hit it was SGT Gonzalez. I grabbed him and pulled him along with SPC (b)(6), (b)(3) to the North side of the Road to where our Medic was by the ACE vehicle. I then returned to where my squad was and then I was informed of the casualties in Blue Platoon to the south where our contact came from and (b)(3), (b)(6)

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) TAKEN AT (b)(3), (b)(6) DATED (b)(3), (b)(6)
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)(6), (b)(3) TAKEN AT COP Kayhil (3), (b) DATED 2007 07 21 (3), (b)

STATEMENT (Continued)

(3), (b) We were repositioned to provide security for those (3), (b) casualties down in the low ground by the river until the medevac was complete. Actions that led up to the contact were detrimental to everything about this mission. We had what seemed to be the entire TF including Iraqi National Police moving along the Rte Croc and also trying to bypass each other on a small road making it impossible to control and caused a tremendous amount of confusion. When briefed to move to Croc all I was told was to link up with Blue that they had pushed ahead of EOD which was the lead element in our convoy but information was that vague. We did not know exactly where they were or how we were going to link up. I informed my Team leaders as best as I could and we initiated movement. On the map I illustrated my squad as the eastern most with 1st Squad and HQ attachment to the rear. I would have illustrated the vehicles better but there is not enough room on the map but there was a huge cluster that in no way could have resulted in a successful mission. Our Platoon vehicles got left behind because they couldn't push forward due to the large amount of vehicles in such a small area. Once the contact started SGT Gonzalez was hit and I could hear the sound of multiple rounds passing by my alpha team shot for about 15-20 seconds before the cease fire was initiated. There were still soldiers to the rear of our formation firing but when I got back to SGT Gonzalez to assess him as a casualty I stopped there firing and they all moved to the North side of Croc behind the ACE. I think the way the mission was planned and executed didn't go together. I don't remember anything (6), (b)

INITIALS OF PERSON MAKING STATEMENT

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

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

9. STATEMENT (Continued)

In the OP Order about vehicles leap frogging past each other and our Plt was briefed that EOD and Blue would clear Route and then we would clear Berea LS. We were not suppose to clear (b)(3), (b)(6) route Croc with them. When that decision was made there should have been more information put out about there location and location of all Friendly forces. END OF statement (b)(3), (b)(6)

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

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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

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

(Making Statement)

WITNESSES:

(b)(6), (b)(3) _____
A Co 1-15 INF COB CANIL

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

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

A Co 1-15 Inf
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at COP Cahill, Iran

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

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

Battalion XO
(Authority To Administer Oaths)

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

SSG

(b), (c)



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

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 COP Cahill, Iraq (b) (6), (b) (7)	2. DATE (YYYYMMDD) 2007/07/23	3. TIME 2200	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID			

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

Q: Where was the link up point with 3/A and how would you recognize it?
A: We were never told of a link up point. Eventually we were supposed to link up with 3/A 100m-200m ahead of the EOD vehicles.

Q: Did anyone know details about the link up point? Who? What?
A: We did not have an exact reference point. for the link up.

Q: Did you/anyone know the link up point was not the FLOT?
A: We knew we had EOD vehicles in front of us, but we also had troops in front of those EOD vehicles.

Q: Who returned fire and in what direction?
A: The initial fires came from the south. I know our Alpha Team got in the prone and returned fire to the south. After the initial contact, we also received fire from the north, but we did not return fire to the north.

Q: Who was controlling fires? How?
A: CPL called out the direction of contact to try to control fires.

Q: What was the company and platoon direct fire plans?
A: There really was not a direct fire control plan because we dismounted early. The direct fire plan was challenged. We knew we had friendly forces to our north, east, and west, so we could not fire in those directions. There was no one to our south, so we could fire there.

Q: How close was 3/A from Route Croc?
A: I don't know how far away they were from the road. I couldn't say.

Q: What firing position was your squad in if/when they returned fire?
A: All of my men were in the prone position.

Q: What firing position were you in?
A: I took a knee to get a better view.

Q: What could you see from your firing position?
A: That is when I saw ACUs moving around when I looked through my ACOG.

Q: Why was 3/A yelling for your platoon to cease fire?
A: I don't know.

Q: Why was LT yelling to cease fire?
A: Because he saw friendly forces to our south.

Q: Which side of the M9 ACE did you pull SGT Gonzales to and why?
A: We pulled SGT Gonzales to the north side of the M9 ACE because the initial fire was coming from the south.

10. EXHIBIT	11. INITIALS	PERSON MAKING STATEMENT	PAGE 1 OF	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.

STATEMENT OF (b)(6), (b)(3) TAKEN AT 2200 (b)(6), (b)(3) DATED 2007/07/23 (b)(6), (b)(3)

9. STATEMENT (Continued)

Q: What was the orientation of SGT Gonzales when he was hit by a round?
A: He was facing to the south, where the initial contact came from.

Q: Did you see the entrance or exit wound on SGT Gonzales? If yes, where were they?
A: All I saw was a wound on the left side of his head next to his ear.

Q: Did you think your contact came from where 3/A was located?
A: I could not tell. I just know that it came from somewhere in the south.

Q: Did you/anyone in your platoon know the location of 3/A? If yes, how?
A: No.

Q: Did you see any of the engineer vehicles move after you dismounted?
A: They just started to move as we were moving to the link up site.

Q: Do you know where the National Police (NP) were throughout this operation?
A: I did not see the NPs except for their tanks on the road.

Q: Did the NP ever fire any weapons? If yes, in which direction?
A: I did not ever see them actually firing their weapons.

Q: In which direction were the rounds coming when they passed by your Alpha Team?
A: The rounds were coming from the south. They passed in front of us going to the north.

Q: In what direction were the trail elements firing when you told them to cease fire?
A: They were firing to the south.

Q: Do you think either you or anyone in your platoon ever accidentally engaged 3/A? Explain.
A: It didn't seem like my men were firing downward. I could not definitely tell if the squad fired at the house. I just know they fired south. I'm confident that my men would not have aimed at ACUs. The angle from the road was too great to fire on them. We were just trying to get 1m grazing fire. There is a chance it happened, but I really don't think it occurred.

Q: Have you ever talked to anyone who thinks a friendly fire incident occurred? If yes, what did he say?
A: I have talked with SGT (b)(3), (b)(6) from 3/A. He said he saw branches coming down from everywhere, but he did not think it was coming from 2/A.

There was a berm between the river and the house that provided good cover and concealment from anyone firing across the river. You could not see people unless they crested the berm. I used it to protect my squad for fires across the river. It was about chest high (b)(3), (b)(6)

-----END OF STATEMENT-----

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

INITIALS OF PERSON MAKING STATEMENT

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

9. STATEMENT (Continued)

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

AFFIDAVIT

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

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

(Signature of Person Making Statement)

v (b)(3), (b)(6)
ILT (b)(3), (b)(6)
ACO 1-15 IN
ORGANIZATION OR ADDRESS
(b)(6), (b)(3)
ACO 4/15 IN
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23^d day of July, 2007 at COP Cabill, Iraq

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

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

(T)

Battalion XO
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

TAB 16

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: COP CAHILL TRAQ (3),(b)(6)
2. DATE (YYYYMM): 2007 07 22 (3),(b)(6)
3. TIME: 1100 (3),(b)(6)
4. FILE NUMBER:
5. (b)(6), (b)(3)
6. SSN: (b)(6), (b)(3)
7. GRADE/STATUS: E-5 / TEAMLEADER (6), (b)(6)
8. ORGANIZATION OR ADDRESS: Aco '15 (6), (b)(6)

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 14 MAY 07, ACO '15 WAS CONDUCTING A MISSION IN DIERA. 2ND PLT WAS WALKING SOUTH ALONG RTE CROC. 2ND SQUAD WAS IN LEAD AND 1ST SQUAD WAS TRAIL. WE RECEIVED SMALL ARMS FIRE FROM THE WEST. WE ALL GOT DOWN AND RETURNED FIRE FOR ABOUT 15 SECONDS. AFTER THE SHOOTING STOPPED, I TOLD MY GUYS TO GET UP AND GET BEHIND THE VEHICLE FOR COVER. SPL (b)(3),(b)(6) WAS THE LAST ONE TO GET BEHIND THE VEHICLE. AS HE CAME AROUND THE CORNER OF THE VEHICLE HE SHOUTED THAT SGT GONZALES HAD BEEN HIT. I LOOKED AROUND THE CORNER OF THE VEHICLE AND SAW SGT GONZALES FACE DOWN, NOT MOVING ON THE SIDE OF THE ROAD. I SAW SSG (b)(6), (b)(3) RUNNING TOWARDS SGT GONZALES AND I TOLD MY GUYS TO STAY BEHIND THE VEHICLE. I RAN OUT TO SGT GONZALES. AS I WAS RUNNING I SHOT ABOUT 10 ROUNDS FOR SUPPRESSION. WHEN I GOT TO SGT GONZALES I FLIPPED HIM OVER ON HIS BACK AND NOTICED THAT HE WAS BLEEDING FROM HIS HEAD. I LOOKED AT SSG (b)(6), (b)(3) AND TOLD HIM THAT WE NEEDED TO GET SGT GONZALES BEHIND COVER. AT THAT POINT MYSELF AND SSG (b)(6), (b)(3) GRABBED SGT GONZALES AND PULLED HIM BACK BEHIND THE VEHICLE AND LEFT HIM WITH THE MEDIC PFC (b)(6), (b)(3)

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (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)

AFTER WE DROPPED SGT GONZALES OFF WITH THE MEDIL, I IMMEDIATELY STARTED SPREADING MY SQUAD OUT AND RE-POSITIONING THEM FOR SECURITY. I THEN WENT TO EACH SOLDIER TO MAKE SURE THEY WERE ALL RIGHT. CHK

~~NOTHING FOLLOWS (b)(6), (b)(3)
NOTHING FOLLOWS (b)(6), (b)(3)
NOTHING FOLLOWS (b)(6), (b)(3)~~

AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 (b)(3), (b)(3) I 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

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

WITNESSES:

(b)(6), (b)(3)
A Co 1-15 Inf
OF (b)(6), (b)(3)
A Co 1-15 INF
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at Cap Cathill base
(b)(6), (b)(3)
(Signature)
(b)(6), (b)(3)
(Type) Battalion 40
(Authority To Administer Oaths)

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



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b) (2) High

TIGRIS RIVER

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 COP Cahill, Iraq (b)(3), (b)(6)	2. DATE (YYYYMMDD) 2007/07/23 (b)(6), (b)(3)	3. TIME 2200 (b)(6), (b)(3)	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6), (b)(3)	7. GRADE/STATUS E-5 (b)(6), (b)(3)	

8. ORGANIZATION OR ADDRESS
A Co, 1-15 IN, 3/3 ID (b)(3), (b)(6)

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

Q: What squad are you in?
A: A Team/1st squad. The OOM was 2nd squad, HQ, and 1st squad. A Team was on the north side of Route Croc. (b)(3), (b)(6)

Q: You stated you received small arms fire from the west. Please explain.
A: I did not understand the orientation of the overhead imagery. Now that I know which way the picture is oriented, I would like to say that the initial contact came from the south, not the west. It sounded close, like it came from our side of the river. We received 7 or 8 bursts of fire from the south as the initial contact. (b)(3), (b)(6)

Q: Did you or anyone ever positively ID the enemy?
A: No, no one was ever able to positively ID the enemy. (b)(3), (b)(6)

Q: What firing position was your team in when they returned fire?
A: A Team never fired a round. We were on the north side of the road. The initial rounds fired at us were kicking up dust on the berm on the south side of Route Croc. There was no contact at all from the north. (b)(3), (b)(6)

Q: What vehicle did you get behind for cover and where was it?
A: We got on the north side of an engineer vehicle because all rounds were coming from the south. Reference the 1st sworn statement's diagram to see where the vehicle was located. (b)(6), (b)(3)

Q: In what direction did you fire your 10 suppressive rounds?
A: I fired the 10 rounds to the south over SGT Gonzales in order to extract him. (b)(6), (b)(3)

Q: Do you know when SGT Gonzales was struck by a round?
A: I did not see when he was struck, but his men say they saw him return fire. (b)(6), (b)(3)

Q: Where was the entrance and exit wounds on SGT Gonzales?
A: The entrance wound was directly over his left eyebrow, and the exit wound was just behind the left ear. His ballistic helmet also sustained damages towards the left rear (consistent with an exit wound). He was facing south when we was struck in the face. (b)(6), (b)(3)

Q: What was your platoon's direct fire plan?
A: We knew the NP were to the north so we could not fire to the north, and we had friendlies in front of us and to the rear. (b)(6), (b)(3)

Q: What was the National Police (NP) location?
A: The NP had vehicles on the road and they had their dismounted personnel present to our north. (b)(6), (b)(3)

Q: Did the NP ever fire any rounds? If yes, in what direction?
A: I do not remember receiving any fires from the north. I don't think the NPs fired at anybody. (b)(6), (b)(3)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
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9. STATEMENT (Continued)

Q: Do you think you or anyone from 2/A ever accidentally fired on 3/A? Explain.
A: I can't speak for the 2nd squad, but I know my team did not fire at 3/A. We did not fire a round. (b)(6), (b)(3)
Q: Have you ever spoken to anyone who believes a friendly fire incident occurred? If yes, what did he say?
A: I have never spoken with anyone who claims to have seen a friendly fire incident occur (b)(6), (b)(3)

-----END OF STATEMENT-----

Nothing Follows
(b)(6), (b)(3)
Nothing Follows
(b)(6), (b)(3)
Nothing Follows
(b)(6), (b)(3)

AFFIDAVIT

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of July, 2007 at COP Cabell team

(b)(3), (b)(6)
1700 1-15
ORGANIZATION OR ADDRESS

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

(b)(6), (b)(3)
Aco 1-15
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)
Battalion XO
(Authority To Administer Oaths)

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

TAB 17

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).
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1. LOCATION Carhill	3),(b)	2. DATE (YYYYMMDD) 20070722	(6), (b)	TIME 1045	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	(b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	(b)(3), (b)(6)	7. GRADE/STATUS E-4 / CPL.	(3), (b)

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

On the 14th of May Operation Beach Yellow, as being the team leader I was walking point on RT Croc as we came to the bend in the road, my team and I received small arms fire coming from the river side going across the street. As my team got down and returned fire, small arms was coming from the direction of the house. I looked at my squad leader who was about 25 meters behind me to get the go ahead to take the house, as I turned back towards the house I saw SSG (b)(6), (b)(3) come running to the road that leads to the house yelling scese fire. I turned back to yell scese fire, my squad leader SSG (b)(6), (b)(3) then told my team to push up and pull security towards the river, inside the compound where Blue platoon was at. The information that was pushed down was Blue platoon was 200 meters in front of the engineers. At the bend in the road was the lead vehicle of the engineers and blue platoon was no where near 200 meters past. Our vehicles couldn't come up to aid us because there was a huge cluster on RT Croc so our Breds were left behind in the rear. As my squad was pulling inside security towards the river. After we got the wounded out my squad pulled out and continued mission. End of Statement. (3),(b)

~~nothing follows (3),(b) nothing further (3),(b) nothing follows (3),(b) nothing follows (3),(b)~~

10. EXHIBIT	(b)(3), (b)(6)	INITIALS OF PERSON MAKING STATEMENT	(3),(b)	PAGE 1 OF 1	ES
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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 BE INDICATED.

9. STATEMENT (Continued)

Nothing follows
Nothing follows
Nothing follows
Nothing follows
(b)(6), (b)(3)

(3), (b) AFFIDAVIT

I, (b)(6), (b)(3), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2, (b)(6), (b)(3) 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

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

WITNESSES:

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

A Co HIS IN
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at COP Cayhill
(b)(6), (b)(3)
(b)(6), (b)(3)
Dattalion XO
(Authority To Administer Oaths)



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b) (2) High

TIGRIS RIVER

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).
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1. LOCATION COP Cahill, Iraq	(3),(b)	2. DATE (YYYYMMDD) 2007/07/23	(3),(b)	3. TIME 2200	(3),(b)	FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	(3),(b)	6. SSN (b)(3),(b)(6)	(3),(b)	7. GRADE/STATUS E-4	(3),(b)	
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID	(3),(b)					

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

Q: Did you know where 3/A's location was at any time during the operation?
A: Our chain of command told us that 3/A was 200m in front of the lead engineer vehicle.

Q: Where did you think the link up point was and how were you supposed to recognize it?
A: I did not know there was a link up point.

Q: Were you planning on continuing movement east along Route Croc before you received fire?
A: We were going to move to Dura'aiya 1.5 to clear the town.

Q: Did you believe that the small arms fire originated from the small house?
A: I think the initial contact originated from the northeast corner of the small house.

Q: How far was the house from Route Croc?
A: The house was a maximum of 50m from the road. It was hard to tell.

Q: What did you mean by "go ahead to take the house" from your first sworn statement?
A: I meant to enter and clear the house.

Q: Did anyone in your platoon fire rounds? If yes, in what direction?
A: Alpha Team was the lead team of the platoon. We dropped on Route Croc and returned fire to the northeast corner of the house.

Q: Who said 3/A was 200m in front of the lead engineer vehicle?
A: The chain of command told us this.

Q: Do you think you or anyone from 2/A ever accidentally fired on 3/A? Explain.
A: Absolutely not. We were elevated too high to do that. There was no way to see or place fire on 3/A because we were too elevated.

Q: Have you ever spoken to anyone who believes a friendly fire incident occurred _____s, what did he say?
A: I have not talked with anyone who thinks a friendly fire incident had occurred (3),(b)(6)

-----END OF STATEMENT-----

10. EXHIBIT	11. I _____ OF PERSON MAKING STATEMENT (3),(b)	PAGE 1 OF 2	(3),(b)(6)
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
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9. STATEMENT (Continued)

Nothing further
Nothing further
Nothing follows
Nothing follows
(b)(6), (b)(3)

AFFIDAVIT

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

(b)(6), (b)(3)
(Signature of Person Making Statement)

WITNESSES:
(b)(3),(b)(6)
AT (b)(3),(b)(6)
NO OFF MIA IN
ORGANIZATION OR ADDRESS
(b)(6), (b)(3)
A Co 615 IN
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23^d day of July, 2007 at COP Cahill 1500
(b)(6), (b)(3)
(b)(6), (b)(3)
Battalion XO
(Authority To Administer Oaths)

TAB 18

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).
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1. LOCATION Catliff	(3),(b)	2. DATE (YYYYMMDD) 20070722	(3),(b)	3. TIME 1045	(3),(b)	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3),(b)(6)	(3),(b)	(b)(3),(b)(6)	(3),(b)	(b)(3),(b)(6)	(3),(b)	7. GRADE/STATUS E-4

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

On the 14th day of May of 2007 at roughly around 10 to 11 O'clock before noon, A co 1-15 was heading east-bound on Route Croc conducting Operation Beach Yellow. Upon halting the convoy in route of the mission Alpha company's dismounted personnel leave their vehicles to search and clear an area that had been designated for clearance around the Pepsi factory. Upon completion of this action and now exiting the area towards another objective 2nd squad leads out in front of 1st. squad walking on the right-side parallel of the convoy on route Croc. After approaching the lead vehicle of the convoy at about 100 meters before a right-wards bend in the road 2nd platoon had been in thought of as the only unit on the ground near the area. All other units had been either pushed further down or have not yet been reached to our location. Within minutes of reaching the lead a few random pop-shots were taken within two to three hundred meters just south of second squad by unknown sources. In defense of our believed isolated location of U.S. or either coalition forces we had followed our military battle drills training and simply returned fire. I had taken cover behind a tree half-way down the berm that the road was on. Following our "Mad Minute" which is a course of action we take upon contact somebody screams from below our level of elevation asking for medical assistance.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (3),(b)	(3),(b)	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 BE INDICATED.

STATEMENT OF (b)(3),(b)(6) TAKEN AT CaHill (3),(b)(6) DATED 20070722 (3),(b)(6)

9. STATEMENT (Continued)

I then jump down from my location to offer the helping aid. When I pass through the trees I notice that the wounded personnel were of Alpha company's 3rd. platoon. I did not know where the rest of my squad was at the time. More shots again were taken from atop of the berm. SFC (b)(6), (b)(3) and I scream out for a cease fire, it does not happen, so I run towards the road to better notify our forces of the situation. After making my way through the brush and reaching the road I notice a U.S. soldier falling to the floor. I was not aware of whom it was just yet. Though I did see second squad now on the other side of the road in the prone. Fire was now being taken from the opposite side coming from the north. I run towards SSG (b)(6), (b)(3) ending up in the prone to update him on 3rd platoons wounded. He tells me that SGT Gonzalez has just been killed in Action. This was whom I had seen just prior to linking up with him. The Lt. and I exchange a few words and he notifies me that the medic was now with 3rd. platoon. After sometime we pick up and push down rte. Croc towards a building just off the road where 2nd squad links up with to reinforce 3rd. platoon. We take up fighting positions in the field. The rest of the mission only continues for a few more hours ~~to~~ in other situations before we index the AO and re-head back towards COP CaHill. End of Statement

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

INITIALS OF PERSON MAKING STATEMENT

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

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

9. STATEMENT (Continued)

Nothing Follows
Nothing Follows
(b)(6), (b)(3)
Nothing Follows
Nothing Follows

AFFIDAVIT

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at COP Cahill, Iraq

WITNESSES
(b)(6), (b)(3)
HCO 1-15 INF
ORGANIZATION OR ADDRESS
(b)(6), (b)(3)
HCO 1-15 INF
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)
(Signature)
(b)(6), (b)(3)
(Type)
Battalion XV
(Authority To Administer Oaths)

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



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

△-Initial contact

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 COP Cahill, Iraq	(3), (b)	2. DATE (YYYYMMDD) 2007/07/23	6), (b)	3. TIME 2200	(b), (b)	4. FILE NUMBER (b)(6)
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3)	(3), (b)	6. SSN (b)(6), (b)(3)	(6), (b)	7. GRADE/STATUS (b)(6)	(6), (b)	(b)(6)
8. ORGANIZATION OR ADDRESS A Co, 1-15 IN, 3/3 ID						

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

Q: Where did you think 3/A was when you first received contact?
A: I thought 3/A was well forward. I thought they pushed past the lead engineer vehicle, an M9 ACE.

Q: Did anyone positively ID the enemy? How?
A: No one could positively ID the enemy. It was impossible because the brush was everywhere. We could not see what we were shooting.

Q: Where was this "Mad Minute" aimed?
A: All fires were aimed due south of where we were.

Q: Did anyone control fires? If yes, who and how?
A: No one controlled our fires. We just returned fires in the direction where we thought the contact originated.

Q: Did anyone know the location of 3/A when you received contact?
A: We did not know the exact location. We just knew they pushed well ahead of us.

Q: Did you or anyone think the contact was initiated from the same location as 3/A?
A: I don't know. We also heard rounds being fired from the west of our position. These came after the first volley. I don't know if they were aimed at us.

Q: When a second volley of fire initiated, were they aimed in your general direction?
A: I believe the second volley came from all of the vehicles that were on Route Croc. It sounded like they were firing south, but I did not feel or see the impacts of the rounds. It just sounded like it.

Q: You state how SGT Gonzales fell to the ground when you returned to Route Croc. Please explain.
A: I did not see SGT Gonzales get hit by a round, but I did see his body impact to the ground. He was not hit by the first few rounds from the initial contact. I think the rounds coming from the north struck SGT Gonzales.

Q: Did you ever see SGT Gonzales' wounds? If yes, describe.
A: I never saw SGT Gonzales' wounds.

Q: Describe the slope from Route Croc to where 3/A was located. Is it possible to see and/or fire on 3/A from a prone position on Route Croc?
A: The ground dropped about 5 to 8 feet right off of the road. It did this over the course of about 5 feet. I think 3/A was about 20 feet from the road.

Q: Do you think you or anyone from 2/A ever accidentally fired on 3/A? Explain.
A: I don't think so. We could not see anything from the road. Our squad members took cover off of the road to the south. There is a possibility. I want to say no, but it certainly was a possibility. They were right in front of us, but we thought they were further ahead.

Q: Have you ever spoken to anyone who believes a friendly fire incident occurred? If yes, what did he say?
A: I have never spoken to anyone who believes a friendly fire incident ever occurred. (b)(6), (b)(6)

-----END OF

STATEMENT-----

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

9. STATEMENT (Continued)

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

AFFIDAVIT

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

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

WIT (b)(3), (b)(6)
SSG (b)(3), (b)(6)
ACO 1-13 LIVE
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of July, 2007 at CoP Cahill, Iraq

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

SPC (b)(6), (b)(3)
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)
(T) Battalion XO
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

TAB 19

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 COB Cahill	(6), (b)	2. DATE (YYYYMM) 20070722	(3), (b)	3. TIME 1057	(3), (b)	4. FILE NUMBER
5.	(b)(6), (b)(3)		(b)(6), (b)(3)	7. GRADE/STATUS E-5 / SGT	(3), (b)	
8. ORGANIZATION OR ADDRESS ACA 1-15 Inf	CRIT					

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

On 14 May 2007, our company was conducting a major operation along with other elements from our Battalion. We went down to clear out Duraya, with help from the Iraqi Army and Iraqi National Police. While in Duraya, we were conducting dismounted operations. I was the Weapons Squad leader at this time. All of my guys were mounted in the M51's except for me. I was dismounted on route Croc with the other two Squads. While walking we took contact from the other side of the river to the south. I couldn't see where the fire was exactly coming from but I know it was from there. The other Squad, Second Squad started to return fire. A few guys from SGT Gonzalez's Squad did as well. During the fire SGT Gonzalez was shot in the head. While our Platoon was firing SSG (b)(6), (b)(3) from third Platoon came running up

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

9. STATEMENT (Continued)

telling us to cease fire, he had his guys down the. We were told that all of Third Platoon was about 300m to the east of us, we had no clue they were just south. We then found out that there were 1 KIA with Third, SGT Dunkley, and three wounded. We got medical attention to them and got everyone MEDVAC out. - End of Statement

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

AFFIDAVIT

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

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

WITNESSES:

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

H-1-151N COB CAHILL ORGANIZATION OR ADDRESS

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

A Co 1-151N ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at COB Cahill, Iraq

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

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

Battalion XO (Authority To Administer Oaths)

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



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

TAB 20

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 <i>COB CAHILL</i> (b)(6), (b)(3)	2. DATE (YYYYMMDD) <i>20070722</i> R/AF	3. TIME <i>09:30</i> (b)(3), (b)(6)	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. (b)(3), (b)(6)	7. GRADE/STATUS <i>E4/SPC</i> (b)(3), (b)(6)	

9. *A COMPANY 1-15 INF*
I, (b)(6), (b)(3), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(3), (b)(6) On May 14, 2007, we conducted OPW Beach Yellow in Durig. We were walking down Route 200 around the time of 10:00 to 11:00 in the Morning, we recieved contact on the right side of the road. We got down and suppressed the area. PFC (b)(3), (b)(6) told me that SGT Gonzalez was down I told everyone that was around me to get behind the vehicle by us. I reported to SSG (b)(3), (b)(6) that SGT Gonzalez was down. Afterward we went to pull SGT Gonzalez behind cover. We then stood on the left side of the road and pulled security until we were told to go were Blue was at to clean up. Then we continue mission (b)(3), (b)(6)

Nothing Follows (b)(3), (b)(6)

Nothing As Follows (b)(3), (b)(6)

Nothing Follows (b)(3), (b)(6)

Nothing Follows (b)(3), (b)(6)

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

9. STATEMENT (Continued)

Nothing Follows (b)(6), (b)(3) *Nothing Follows* (b)(6), (b)(3) *Nothing Follows* (b)(6), (b)(3) *Nothing Follows* (b)(6), (b)(3)

AFFIDAVIT

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

V (b)(6), (b)(3)
Hqs 1-65 IN 2nd PLT.
(b)(3), (b)(6)
ORGANIZATION OR ADDRESS
(b)(6), (b)(3)
Hqs 1-65 IN 2ND PLT
(b)(3), (b)(6)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at COR Cahill, Iraq
(b)(6), (b)(3)
(b)(6), (b)(3)
Dattalion XV
(Authority To Administer Oaths)

SPC

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



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

(3), (b)

TIGRIS RIVER

TAB 21

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 Cob Kahill (b)(3),(b)(6)	2. DATE (YYYYMMDD) 2007 07 22 (b)(3),(b)(6)	3. TIME 12:45 (b)(3),(b)(6)	4. FILE NUMBER
5. GRADE/STATUS (b)(6), (b)(3)	6. (b)(3),(b)(6)	7. GRADE/STATUS E-3	(b)(3),(b)(6)
8. ORGANIZATION OR ADDRESS Aco 1-15 2 PLT. (b)(3),(b)(6)			

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On May 14 2007 Aco left from Kahill to do a cordon and search in the nutsack. Before we left the Nco's made sure we had fresh batteries in all are sensitive stems and everything worked. The route we were on in the nutsack was route Croc. When we arrived to route Croc we moved up a little before the Pepsi factory and dismounted. As we moved up route Croc we turned north on a road right before the Pepsi factory, from there we hit a (b)(3),(b)(6) in the road and went right a little bit to find out we went the wrong way. So we turned around back to the Pepsi factory and continued up route Croc. Just a little bit in to moving up route Croc we took contact from (b)(3),(b)(6) across the river. As I was getting down I kepted looking at SGT. Gonzalus as he went to a knee and said to return fire. The second after he said to return fire he was getting in the prone to the right of me. As I was returning fire a round hit right next to me and launched something into my wriste. The second that happen I rolled over and checked my wriste and saw nothing so I rolled back over and continued to return fire. Shortly after that I rolled back fire. The fire from across the river started to settle (b)(3),(b)(6) down. I looked to my left and right to make sure everyone around me was fine. As I turned to my right to see SGT. Gonzalus shot in the head. The second I saw that it shocked me and as PFC (b)(6), (b)(3) was yelling man down, I to started to yell. When I got up my wriste was hurting. So I checked my wriste again to see blood coming out of it, but I was more worried about SGT. Gonzalus, and pulled (b)(3),(b)(6)

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

9. STATEMENT (Continued) (b)(6), (b)(3)

As I moved to him I was told to get behind cover. As three people grabbed SGT. Gonzalus and pulled him behind cover. Right after that medivac was called and we moved up the road a little bit and pulled security. That was the last time I saw SGT. Gonzalus. (b)(6), (b)(3)

nothing follows (b)(6), (b)(3)

nothing follows (b)(6), (b)(3)

nothing follows (b)(6), (b)(3)

nothing follows (b)(3), (b)(6)

AFFIDAVIT

I, (b)(6), (b)(3), 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)(6), (b)(3)
(Signature of Person Making Statement)

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

ORGANIZATION OR ADDRESS

AYO 1-10 UNIT

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

ORGANIZATION OR ADDRESS

Also 1/15 in this pt

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at 60P Kahill

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

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

Battalion XO
(Authority To Administer Oaths)



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

TAB 22

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: COP CATHIL ROAD (3),(b)
2. DATE (YYYY-MM-DD): 2007 05 14 (3),(b)
3. TIME
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(6), (b)(3) (b)(3),(b)(6) (3),(b) GRADE/STATUS: FC
ACo 1-15 (3),(b)

(3),(b), (b)(6), (b)(3) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
on the 14th of May 2007, I was dismounted with white (2nd) platoon and we started our way down route crac. I was with our company's 1st Sgt (1st Sgt (b)(6), (b)(3)) and he stopped to talk to Sgt major (b)(6), (b)(3), and as I pulled security for him, I could see white platoon continue down crac. Next I know they stop for a brief moment, and at that time a single shot was fired. From what I seen, SGT Gonzales and Sgt (b)(6), (b)(3) drop to the ground. As white platoon was returning fire I seen SGT (b)(6), (b)(3) get to his feet and noticed that SGT. Gonzales did not get back up. I let my 1st Sgt know that we had a man down, as we rushed to assist him, I could see someone from white platoon drag SGT. Gonzales across the road to get cover behind a humvee, when we got there, Doc (b)(3), (b)(6) and other medics were already providing medical help to SGT. Gonzales (3),(b)
END OF STATEMENT

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [NAME] TAKEN AT [LOCATION] DATED [DATE]"
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)

~~Nothing follows
Nothing follows
Nothing follows~~

AFFIDAVIT

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

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

WITNESSES:

(b)(6), (b)(3)
ACo 115 In 2nd Plt
ORGANIZATION OR ADDRESS

(b)(6), (b)(3)
ACo 115 In 2nd Plt
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of July, 2007 at CoP, Cahik, Iraq

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

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

Battalion XO
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

6), (b



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

TAB 23

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 Cob K-Hill (b)(6), (b)(3)	2. DATE (YYYYMMDD) 2007/07/22 (3),(b)	3. TIME 1007 (3),(b)	4. FILE NUMBER
(b)(6), (b)(3)	6. SSN (b)(3),(b)(6)	7. GRADE/STATUS E-3 (b)(6), (b)(3)	

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

(b)(6) It was the 14th of May when we did a mission at the nut sack alongside the Tigris River. We dismount about 250 meters from the factory on Route Crook. We walked up and made the left turn right before the factory then made the right on the first upcoming road. I did not know what was going on then, but I remember seeing a lot of OP's and other friendly's when we made the right turn. It was too many people on that road so we pulled back and went towards the factory. We then made that left on route crook at the factory, and walk down 150 meters when all hell broke loose. 2nd squad which in took lead, we received a lot of contact coming from across the Tigris river, 1st squad was behind us, there was a lot of trees and vegetation where my squad was so we couldn't see nothing.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3),(b)(6)	PAGE 1 OF 3 (3),(b)(6)
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ IN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(6), (b)(3) AT Lib K Hill (b)(3), (b)(6) DATED 2007/07/22 (b)(3), (b)(6)

9 STATEMENT (Continued)

(b)(3), (b)(6) Unlike my squad, 1st squad was in the opening so he could see across the river. At the time when we received contact we all react to contact. As soon as we open fire 5 sec after my squad leader yelled cease fire! Cease fire! He spotted friendly's right below us in the woodline where we were, When we all cease fire I glance to my right and saw Sgt. (b)(3), (b)(6) flat on his stomach, I didn't know it was him then, but I was told a little later that he past away. I was angry for this could have been avoided if our vehicles was there beside us, but it was impossible because route Croc was already crowded with vehicles before we got there. 2 KIA'S 3 WIA'S this was a day I will never forget, this is my statement.
End of statement (b)(6), (b)(3)

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

INITIALS OF PERSON MAKING STATEMENT

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

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

9. STATEMENT (Continued)

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

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

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

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

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

I, (b)(6), (b)(3) FIDAVIT
WHICH (b)(6), (b)(3) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
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 INFLUENC (b)(6), (b)(3) (Agent)

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

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 22nd day of July, 2007
at CoP Cahill, Iraq

(b)(6), (b)(3) _____
(Type) Dattalidn Xu
(Authority To Administer Oaths)

(b)(6), (b)(3) _____
ORGANIZATION OR ADDRESS
H Co 1-15 JUF

(b)(6), (b)(3) _____
ORGANIZATION OR ADDRESS
A Co 1-15 JUF



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

TAB 24

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 <i>Cob Cahill</i>	(3),(b)	2. DATE (YYYYMMDD) <i>2007 07 22</i>	(3),(b)	3. TIME <i>10:30 am</i>	(3),(b)	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME <i>(b)(6), (b)(3)</i>	(3),(b)	6. SSN <i>(b)(3), (b)(6)</i>	(3),(b)	7. GRADE/STATUS <i>PFC / E-3</i>	(3),(b)	
8. ORGANIZATION OR ADDRESS <i>Aco 1/15</i>	(3),(b)					

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

(3),(b) On 14 May, 2007. On the Mission Beach yellow. Our platoon dismounted and began to walk down Route Croc with two Squads of dismounts. My Squad was in the front followed by first Squad behind us. The team that I was in was on the left side of the road. The other team was on the right side of the road where contact was taken from first. As we were passing the E.O.D. Vehicles, contact was taken on the right side of the road. Both Squads got down behind what cover we could find and pulled serenity out wards and fired back. I looked back to the right side of the road and saw that one of our guys was down. First Squad members pulled him behind one of the trucks and our cbc began to work on him. After the fire fight stopped, they pulled him back to the rear to the h. z. so a bird could get him out of the area. That's when I found out that it was Sgt. Gonzalez. Our Squads picked back up and moved down the road to a house where third platoon was at. To find out that they had wounded as well. we pulled serenity in the house so third platoon could get there guys out of the area. After then our Squad moved out into the field next to the house, and pulled serenity towards the river. After sitting there for awhile. we got up and started clearing the houses in the area looking for the guys that shot at us.

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

10. EXHIBIT	11. INITIAL: <i>(b)(3),(b)(6)</i> MAKING STATEMENT	PAGE 1 OF <i>2</i> <i>(3),(b)</i> 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 BE INDICATED.

STATEMENT OF

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

TAKEN AT

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

DATED

2007 07 22

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

9. STATEMENT (Continued)

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

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

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

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

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

AFFIDAVIT

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

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

ACC 1-15 INF

ORGANIZATION OR ADDRESS

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

ACC 1-15 INF

ORGANIZATION OR ADDRESS

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

Sut (b)(6), (b)(3) authorized by law to

administer oaths, this 22nd day of July, 2007

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

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

(Signature of Person Administering Oath)

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

(Type)

Battalion X

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE

2 OF 2

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



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TIGRIS RIVER

TAB 25

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 COP Cahill, Iraq (3),(b)	2. DATE (YYYYMMDD) 2007/07/22 (3),(b)	3. TIME 1100 (3),(b)	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(3),(b)(6)	7. GRADE/STATUS O-2/ACTIVE	
8. ORGANIZATION OR ADDRESS A Co. 1-15 IN, 3rd BDE, 3rd ID (3),(b)			

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

At approximately 0500 on 14May2007 Hardrock Company(A Co. 1-15 IN) SP COP Cahill headed South on RTE Wild toward the staging area for a BN level mission named Operation Bull Run. The BN TAC, Engineer element, B Co., and Iraqi National Police(NP) staged at (b)(2)High while Hardrock staged along RTE Gator at (b)(2)High. The mission was to support the NP and conduct knock and searches and cache searches down RTE Croc to the East through all of the Durai'yas. Shortly after first light the NP began movement to the East along RTE Croc. Most of these forces were dismounted with some vehicles with weapons mounted in the back. The NP were followed by route clearance provided by Eliminator Co. 1-15 IN. After Eliminator was Hardrock with 2 Mechanized Infantry Platoons and a HQ element. The lead element for Hardrock was Blue Plt with 2 sections of BFVs and Gun-trucks moving along the road and two dismounted squads. Blue Platoon's Platoon Leader, 1LT (b)(3),(b)(6) was moving with one squad and their Platoon Sergeant, SFC (3),(b)(6) was moving with the other squad. The Company Commander's Gun-truck was behind Blue Platoon. The CO, CPT (6), (b) his PSD, SGT (3),(b) his RTO, SPC (3),(b)(6) and I were traveling dismounted with Blue Platoon. Next in the OOM was Hardrock White Platoon, who also had two sections of BFVs and Gun-trucks moving along the road and 2 dismount squads. White Platoon was followed by the BN Commander's PSD then Baker Company. When we arrived at the Pepsi Factory, Grid (b)(2)High (See attached imagery), the squad LT (3),(b) was with clear the Pepsi Factory North of RTE Croc and the squad SFC (3),(b) was with cleared the ground of buildings to the South, Grid (b)(2)High. Once both structures were cleared we continued our move to the East. There was now orchards to the North and South of RTE Croc, so the dismount squads each pushed off the road to clear the orchards as we moved East. I moved with the squad clearing South of RTE Croc in an orchard along the Tigris River. SFC (3),(b) CPT (3),(b) SGT (3),(b) and SPC (6), (b) also moved with the same squad. We cleared the orchard and moved up to the abandoned house located at Grid (b)(2)High (See attached imagery). At this point the NP had stopped moving East, to take a break, so while they were trying to get them moving on the road we waited in the orchard. I was along the West side of the abandoned building with SPC (3),(b)(6) and CPT (6), (b) was on the North side of the building with SFC (3),(b) and SGT (6), (b). Blue Platoon's dismounted squad was spread out in the orchard directly West of the abandoned house. At 0907 we received small arms fire from the Southwest across the Tigris River. I moved to the Southwest corner of the building to try and PID the enemy while SPC (6), (b) moved to the North side of the building to take cover. When I moved to the Southwest corner of the building there was a large volume of fire ripping through the leaves of the trees in the orchard and sending rocks flying at my feet. While SPC (6), (b) was moving North to take cover he was struck by a round in his right thigh. I moved into the building to take cover and assist in treating the casualties. Blue Platoon's medic, DOC (6), (b) had moved to the building and was assessing SPC (6), (b). He had me put a tourniquet on SPC (b)(3),(b)(6) leg while he moved back outside into the orchard to see if there were any other casualties. When the fire began CPT (3),(b) was with SFC (3),(b) approximately 10 meters North of the building, by now he had returned to the building and was working on having Hardrock / and 5 move up with the ground CASEVAC and preparing a 9-Line MEDEVAC Request. DOC (3),(b) returned with three more casualties. DOC (3),(b) began treating PFC (3),(b) PFC (3),(b) and PFC (3),(b). SFC (3),(b) then found that SGT Dunckley was hit and took DOC (6), (b) over there to treat him. We got word that SGT Dunckley was a KIA. We then got a report from White Platoon that they had one casualty, SGT Gonzalez, with a gun shot wound to the head. As soon as the MEDEVAC had made it's way up to our location we loaded up the casualties and took them to the HLZ located at (b)(2)High (3),(b).

///NOTHING FOLLOWS///

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3),(b)(6)	PAGE 1 OF 23 (b) PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3),(b)(6) 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)(6), (b)(3)

TAKEN AT

COP Cahill (b)(3), (b)(6)

DATED

2007/07/22

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

9. STATEMENT (Continued)

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

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

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

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

AFFIDAVIT

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

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 23, (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 INFLUENCE,

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

(b)(3), (b)(6) (Continuing Statement)

WITNESSES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of July, 2007 at 1100

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

CPT AR (Administering Oath)

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

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

HHC 7/15/07 ORGANIZATION OR ADDRESS

Article 156(b)(4) UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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

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



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



2-7

(b)(2)High

TIGRIS RIVER

TAB 26

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 Company Outpost Cahill, Ira (b)(3), (b)	2. DATE (YYYYMM) 2007/07/23, (b)	3. TIME 1200 (b)(6), (b)	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(3)	6. SSN (b)(3), (b)(6)	7. GRADE/STA E (b)(3), (b)	
8. ORGANIZATION OR ADDRESS A Co 1-15 IN, 3RD BDE, 3RD L (b)(3), (b) WAR0A0			

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

14 May 2007 at 0907; Grid (b)(2)High, A Company Task Force 1-15 was engaged in the Battalion mission at Al Dura'aiya known as Beach Yellow. During this operation I was with 3RD Platoon as part of the commander's personal security detachment. We left the gun truck with SGT (b)(3), (b)(6), (b) and Gunner (b)(6), (b)(3). Shortly into our operation 2nd Platoon maneuvered east down Rte. Croc to meet with 3rd Platoon who was off the road in the brush next to the Tigris River. I was pulling security near an abandoned building just off the Tigris river with our FSO, 1LT (b)(3), (b) and SPC (b)(3), (b) (the RTO. SGT Dunckley and PFC (b)(3), (b) were directly in front of me, north of the structure which was south of the road. As white Platoon advanced up Rte. Croc toward us, a couple of shots were fired from across the river. As bullets started to fly I immediately ran to the opposite side of the building to ensure the Company Commander was safe. He was in the prone position next to 3rd PLT Sergeant SFC (b)(3), (b)(6) and their medic PVT (b)(6), (b)(3). I returned to the opposite side of the building to discover our RTO SPC (b)(3), (b) (was shot in the left leg. 1LT (b)(3), (b) helped secure the area as gun fire continued and hit all around us with such intensity that they trimmed the the grass and the trees. While under enemy fire he exposed himself assisting me in moving SPC (b)(3), (b) (to the safety of the building; which was the beginning of our casualty collection point. I returned to Doc (b)(3), (b) and notified him that we had a casualty; PVT (b)(3), (b) high-crawled from his position, while under enemy fire to the CCP. SFC (b)(3), (b) and CPT (b)(3), (b) were adjusting units around us and trying to coordinate with white Platoon as we took fire from what seemed both the north and south. As (b)(6), (b) and I entered the building we found 1LT (b)(3), (b) assisting SPC (b)(3), (b) (remove his equipment. (b)(6), (b) saw (b)(6), (b) (bullet wound and pulled out his scissors. As he was getting ready to cut off (b)(6), (b) (trousers we heard screams coming from one of 3RD Platoon's positions. PVT (b)(3), (b) expediently left the building to attend to any other casualties that we incurred trusting (b)(6), (b) (to 1LT (b)(3), (b) and myself to attend to. 1LT (b)(3), (b) assisted me with cutting off (b)(6), (b) (pant leg and applying a tourniquet. He completed the bandaging as I started to assist with casualties coming into the CCP. One at a time wounded soldiers entered the CCP. First PVT (b)(6), (b) then PVT (b)(3), (b) and PVT (b)(3), (b). At the same time CPT (b)(3), (b) entered the building under heavy fire to grab the radio ruck and get a hold of Dragon 6. In the heat of battle he gave the Battalion commander a sitrep of wounded personnel as well as coordinated for 1st squad 2ND PLT to help with the security of the CCP. As more soldiers arrived we went about securing the area. We continued to render first aid and reassure the wounded. SSG (b)(3), (b) reported the building could possibly be booby trapped due to buried material and command wire visible in another room. CPT (b)(3), (b) chose to keep the CCP in the structure, called in the 9 line medevac request and called for HR5(1LT (b)(3), (b) (to come casevac the wounded to the LZ/PZ. He also called in reinforcements from another PLT to help with immediate security of the CCP as well as secure a berm which watched over the Tigris river. After all soldiers were casevaced away from the structure (b)(3), (b) continued to pull security along Rte. Croc. Eventually we continued our mission and cleared Al Dura'aiya 1.5 with both 2nd PLT and 3rd PLT (b)(3), (b) End of Statement

NOTHING FOLLOWS

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

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

9. STATEMENT (Continued)

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

AFFIDAVIT

I, (b)(6), (b)(3), 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

WITNESSES:

(b)(6), (b)(3) A Co 1-15 IN, 3RD BDE, 3RD ID ORGANIZATION OR ADDRESS (b)(6), (b)(3) ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of July, 2007 at Comp (b)(6), (b)(3)

(b)(6), (b)(3) (b)(6), (b)(3) Battalion (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

TAB 27



ARMED FORCES INSTITUTE OF PATHOLOGY
Office of the Armed Forces Medical Examiner
1413 Research Blvd., Bldg. 102
Rockville, MD 20850
301-319-0000



FINAL AUTOPSY EXAMINATION REPORT

Name: Gonzalez, Christopher Neil	Autopsy No.: ME 07-0591
SSAN: (b)(6), (b)(3)	AFIP No.: 3056442
Date of Birth: 8 FEB 1982	Rank: SGT, U.S. Army
Date of Death: 14 MAY 2007	Place of Death: Iraq
Date and time of Autopsy: 17 MAY 2007 1230	Place of Autopsy: Port Mortuary
Date of Report: 04 JUN 2007	Dover AFB, Dover DE

Circumstances of Death: (14-MAY-07) -- Soldier was in the vicinity of (b)(2)High on a dismounted patrol when he encountered a complex attack consisting of small arms fire and an IED.

Authorization for Autopsy: Office of the Armed Forces Medical Examiner, IAW 10 USC 1471

Identification: Positive identification by Dental, Fingerprint

CAUSE OF DEATH: Gunshot wound of the head

MANNER OF DEATH: Homicide

UNCLASSIFIED

~~FOR OFFICIAL USE ONLY~~ and may be exempt from mandatory disclosure under FOIA. DoD 5400.7R, "DoD Freedom of Information Act Program", DoD Directive 5230.9, "Clearance of DoD Information for Public Release", and DoD Instruction 5230.29, "Security and Policy Review of DoD Information for Public Release" apply.

FINAL AUTOPSY DIAGNOSES

- I. Penetrating gunshot wound of the head
 - A. Entry: left temporal scalp measuring 1 ½ x ¾ inches, situated 4 inches below the top of the head, 3 ½ inches left of the posterior midline and 2 inches from the posterior plane; no evidence of soot or gunpowder stippling is present on the skin around the entrance wound
 - B. Path: left temporal region of the scalp and calvarium, left temporal lobe and right occipital lobe
 - C. Projectile: multiple gray and copper metallic fragments recovered from the right occipital lobe
 - D. Direction: left to right and front to back
 - E. Associated injuries:
 1. Subgaleal hemorrhage in the vertex, occipital and left parietal temporal regions
 2. Diffuse subarachnoid hemorrhage
 3. Pulpification of the left temporal lobe
 4. Laceration of the brainstem and left cerebellar hemisphere
 5. Comminuted basilar skull fractures involving the anterior, middle and posterior cranial fossae, bilaterally
 6. Linear fractures of the frontal, vertex, occipital and left parietal regions of the calvarium with diastasis of the left sided lambdoid suture
 7. Lacerations (2) ½ inch anterior to entrance wound measuring ½ inch (superior) and ¼ inch (inferior)
- II. Evidence of medical therapy:
 - A. Combitube
 - B. Tracheostomy
 - C. Intravascular catheter in the right antecubital fossa
 - D. Intramedullary sternal catheter
 - E. Monitor lead pads on both shoulders and the left flank
- III. No significant natural diseases identified, within limitations of the examination.
- IV. Toxicology: Negative

ADDITIONAL PROCEDURES/REMARKS

- Documentary photographs are taken by the OAFME staff photographer.
- Specimens retained for toxicologic testing and/or DNA identification are: vitreous, blood, bile, urine, gastric contents, lung, liver, spleen, brain, kidney, muscle and adipose tissue.
- Full body radiographs are obtained.
- Selected portions of organs are retained in formalin.
- The dissected organs are forwarded with the body.
- The recovered metallic fragments are placed in a labeled container and retained by OAFME investigators.

UNCLASSIFIED

~~FOR OFFICIAL USE ONLY~~

AUTOPSY REPORT ME07-0591
GONZALEZ, Christopher Neil

- Personal effects are released to the decedent affairs representatives.
- Identifying body marks consist of tattoos on both arms and the upper back.

OPINION

This 25 year old male active duty U.S. Army SGT died of a penetrating gunshot wound of the head. The gunshot wound entered the skull and brain causing extensive injury. Projectile fragments were recovered. There was no evidence of close range fire on the skin. The manner of death is homicide.

(b)(6)

OS SW
26

(3)(b)(6)

CAPT MC OSN
Assistant Medical Examiner

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FOR OFFICIAL USE ONLY

TAB 28



ARMED FORCES INSTITUTE OF PATHOLOGY
Office of the Armed Forces Medical Examiner
1413 Research Blvd., Bldg. 102
Rockville, MD 20850
1-301-319-0000



FINAL AUTOPSY REPORT

Name: Dunckley, Allen James	Autopsy No.: ME07-0590
SSN: (b)(6), (b)(3)	AFIP No.: 3056451
Date of Birth: 8 Mar 1982	Rank: E-5/SGT/USA
Date of Death: 14 May 2007	Place of Death: Iraq
Date of Autopsy: 17 May 2007 @ 1200	Place of Autopsy: Port Mortuary
Date of Report: 27 June 2007	Dover AFB, DE

Circumstances of Death: This 25 year-old Soldier was serving in Iraq in support of Operation Iraqi Freedom when, as reported, he was mortally wounded by a complex attack consisting of small arms fire and an improvised explosive device

Authorization for Autopsy: Office of the Armed Forces Medical Examiner, IAW 10 USC 1471

Identification: Positive identification by ante-mortem and post-mortem fingerprint and dental comparison

CAUSE OF DEATH: **Gunshot Wounds of the Back**

MANNER OF DEATH: **Homicide**

UNCLASSIFIED

~~FOR OFFICIAL USE ONLY~~ and may be exempt from mandatory disclosure under FOIA. DoD 5400.7R, "DoD Freedom of Information Act Program", DoD Directive 5230.9, "Clearance of DoD Information for Public Release", and DoD Instruction 5230.29, "Security and Policy Review of DoD Information for Public Release" apply.

FINAL AUTOPSY DIAGNOSES:

I. Gunshot Wounds (2) of the Back:

A. Gunshot Wound of the Back (A):

1. **Entrance: On the upper right back, a 3/16-inch circular wound, located 18-inches below the top of the head and 5 ½-inches right of the posterior midline, without soot deposition or gunpowder stippling on the surrounding skin**
2. **Injury to: Skin, subcutaneous tissue, posterior right 6th rib (fractured), lower lobe of the right lung (two defects, ¼-inch and ½-inch), pericardium, heart (shredding laceration of the right and left ventricles, 4 x 3-inches), and anterior left 8th rib (fractured)**
3. **Exit: On the lower left chest, a 1 1/8 x ½-inch oval wound with a 4 x 2-inch circumferential contusion, located 22-inches below the top of the head and 4-inches left of the anterior midline**
4. **Recovered: Nothing recovered**
5. **Direction: Back to front, right to left, and downward**
6. **Associated injuries: Bilateral hemothoraces (750 ml right, 200 ml left) and hemopericardium (50 ml)**

B. Gunshot Wound of the Back (B):

1. **Entrance: On the lower left back, a 3/16-inch circular wound, located 26-inches below the top of the head and 1 ½-inches left of the posterior midline, without soot deposition or gunpowder stippling on the surrounding skin**
2. **Injury to: Skin, subcutaneous tissue, posterior left 9th-11th ribs, (fractured), spleen (pulpifaction), and lateral left 9th-11th ribs, (fractured)**
3. **Exit: On the left flank, a ¾ x ¼-inch oval wound, located 19-inches below the top of the head and 10-inches left of the anterior midline, and a 3/16-inch circular wound, located 20-inches below the top of the head and 10-inches left of the anterior midline**
4. **Recovered: Fragments of metal from the subcutaneous tissue of the left flank**
5. **Direction: Back to front, right to left and upward**
6. **Associated injuries: Hemorrhage along the wound path**

II. No significant natural disease identified within the limitations of this autopsy

III. Evidence of medical intervention: clear dressing over the wound on the upper left quadrant of the abdomen

IV. No identifying marks or tattoos

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V. Toxicology (AFIP):

- A. Volatiles: No ethanol is detected in the blood and vitreous fluid**
- B. Drugs: No screened drugs of abuse or medications are found in the urine**

ADDITIONAL PROCEDURES

- Documentary photographs are taken by OAFME staff photographers
- Full body radiographs are obtained
- Specimens retained for toxicological testing and/or DNA identification are: liver, bile, psoas muscle, urine, blood, vitreous fluid, gastric contents, brain, spleen, adipose tissue, lung, heart, and kidney
- The dissected organs are forwarded with body.
- Selected portions of organs are retained in formalin, without preparation of histological slides
- Personal effects are released to the appropriate mortuary operations representatives
- Evidence is received and retained by OAFME

OPINION

This 25 year-old male, Allen Dunckley, died of gunshot wounds (2) of the back. One bullet (Gunshot Wound "A") entered the upper right back and injured the right 6th rib, right lung, heart, and left 8th rib, resulting in massive bleeding into the chest cavities. The bullet exited on the lower left chest and no metal was recovered. The other bullet (Gunshot Wound "B") entered the lower left back and injured the left 9th-11th ribs and the spleen, resulting in bleeding along the wound path. The bullet exited on the left flank, and fragments of metal were recovered from the subcutaneous tissue of the left flank. No evidence of close range firing was present on the skin surrounding either entrance wound. Toxicological testing was negative. The manner of death is homicide.

(b)(6)

Associate Medical Examiner

(b)(6)

Deputy Medical Examiner

(b)(6), (b)(3)
28 Jun 07

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TAB 29



14 MAY 2007 OPN BEACH YELLOW, 1-15 IN, 3/3ID



(b)(2)High

TAB 30

(b)(2)High



Enemy Most Likely Course Of Action



(b)(2)High



Enemy Most Dangerous Course Of Action



(b)(2)High

TAB 31



(b)(2)High



(b)(2)High

(b)(2)High



(b)(2)High

(b)(2) High

TAB 32

(b)(2)High



(b)(2)High

(b)(2)High

b(1)1.4c

2

b(1)1.4c

b(1)1.4c

b(1)1.4c

b(1)1.4c

b(1) 1.4c



(b)(2)High



(b)(2)High



TASKS TO SUBORDINATE UNITS

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

Timeline		
CO	Event	DTG
DIV/BDE	HAMMER STARE	122200-130800
DIV/BDE	HAMMER STARE	132200-140800
SHARP	ID PRE-DETONATION	140400-140600
AVN	ESTABLISH SCREEN	140600
DIV ASS	SIGINT	140600-EOM
E/1-15 IN	CLEAR RTE CROC	140600
A/1-15 IN 1/1 NP	ATTACK DURA'IYA N	140600
B/1-15 IN 1/1 NP	ATTACK DURA'IYA S	140600
B/1-15 IN	RAID ON NAI 15,16, 19	141300
DIV/BDE	HAMMER STARE	142200-150600

RISK/CONSEQUENCE MANAGEMENT

RISK	MITIGATION MEASURE
IEDs	SHARP ID IED, E/1-15 IN RTE CLEARANCE
ENEMY RESISTANCE	SHADOW GIVING UPDATED INTEL, 4 INF PLATOONS, x1 NP BDE PROVIDE CORRECT COFM
FRATRICIDE	ALL ELEMENTS ON THE BN NET, FAMILIARITY OF THE PLAN

COMBAT RISK ASSESSMENT MATRIX

MISSION: BEACH YELLOW

DTG Prepared: 102300MAY2007

Hazard	Initial Risk	Controls	Residual Risk	How to Implement	Supervisory
Enemy Fire	High	Wear IBA w/ SAPI Plates	Medium	PCCs/PCIs	PL/CO
		Wear Ballistic Eye Protection		Rehearsals	1SG
		Weapons Status RED		OPORD	
		360 degree security		Establish CCP	
		Battle Drills			
IED/UXO/VBIED	High	Wear IBA, SAPI Plates, Ear/Eye Pro	Medium	PCCs/PCIs	Patrol Leader
		Armored Vehicles		Rehearsals	Squad Leader
		Soldiers briefed on VBIED ID & Bolo list		Establish CCP	Team Leader
		Route Status Awareness		Recon	
		Maintain Dispersion/300m Standoff			
		360 degree security			
		CASEVAC Plan			
Driver Close Window					
Fratricide	High	Continuously Report Location/Commo	Medium	OPORD	PL/CO
		Direct Fire Control Measures		Rehearsal	1SG
Collisions	Medium	Maintain Proper Speed/Interval	Low	PCIs/PCCs/SOP	PSG
		TC Awareness		Rehearsals	Squad Leaders
		Ground Guides, Licensed Drivers		Establish CCP	
Rollover	Medium	Front and Rear Ground Guides	Low	SOP	PSG
		Avoid Canal Roads		PCCs/PCIs	1SG
		Nametag defilade		Rehearsals	
		Rehearse Rollover Drills		Establish CCP	
Sleep Deprivation	Medium	Leader-supervised Rest Plans	Low	PL Timeline	PSG
Vehicle Fire	Medium	PMCS	Low	PCCs/PCIs	PSG
		Fire Drills		Rehearsals	
Loss of Security	Medium	Maintain 360 degree security	Low	PCCs/PCIs	Team Leader+
		Small arms in red status		SOP	
		Maintain communication w/ vehicles		Rehearsal	
Night Movement	Medium	NVG Training	Low	PCCs/PCIs	Tm Lders
		Use Blackout Drives		Rehearsals	
		Speed Limits, Interval			
HOT Weather Injury	Medium	Leader-supervised Hydration	Low	PCC's, PCI's	All Leaders
		Layer Clothing		Rehearsals	
		FMC Vehicle Heaters			
Night Vision Washout	Low	Use White Light (if TacSit Allows)	Low	Rehearsals	TC
		Stop in Place			

b(1) 1.4c

b(1) 1.4c



TIMELINE:

-0143: 1-15 setting the conditions for Beach Yellow - Shadow feed observes 3 x personnel emplacing an IED VIC MB 6493 5999. Attack aviation (Crazy horse 0-3) on station IOT observe suspicious activity.

-0153: As enemy egress ATK AVN engage, resulting in 2 x EKIA. No further suspicious activity observed.

-0553: C/1-15 SPs from COP Cleary IOT set blocking position.

-0648: Forces staged at the Salman Pak Panorama building, and main body moving to conduct OPN Beach Yellow. E/1-15 clears route and sets VIC CP 2. A/1-15 follows and supports National Police. TAC follows with C2 elements from 1/1 NP. B/1-15 follows TAC, prepared to conduct search with NP north of CROC in NAI A.

-0907: TAC 1-15 reports audio on one round of small arms fire, immediately followed by a heavy volume of fire. A/1-15 reports one soldier KIA from initial direct fire. TAC and 1-15 IN are unable to identify enemy fighting positions, but believe SAF originated south of the river. National Police continue to return fire oriented to the south and north, where they claim to have identified enemy. During exchange of fires, A/1-15 assess the situation, returns fire, and moves their wounded to HLZ site as they are assessed. Forces located at the Panorama Building report IDF attack.

-0924: A/1-15 reports 3 x WIA (LITTER URGENT) and 1 x KIA, and submits a 9-Line. TAC and A/1-15 move casualties to pre-established HLZ.

-0927: A/1-15 reports one more WIA (LITTER URGENT) and 9-Line is update. TAC submits 9-line medevac to aviation assets.

-0945: MEDEVAC and recovery QRF en route to site.

-1008: MEDEVAC wheels up, transporting 5 x WIA to 28th CSH. 1 x critically wounded Soldier pronounced DOA at 28th CSH : (b)(6)

IN continues attack east along RTE CROC, pushing forces into NAls 4, 6, 7, and 8. E/1-15 continues route clearance along RTE CROC to CP 4. A/1-15 reports 4 detainees taken (b)(6)

Message relayed to attack aviation that shadow feed observes 3 x personnel possibly emplacing an IED in the same location as the previous night's engagement.

-1049: Aviation not able to positively identify personnel and breaks station due to fuel.

-1105: Attack aviation (Crazy horse 1-9) on station and moves to (b)(6) attempting to regain contact with IED emplacers. Elements report heavy volume of indirect fire at the Panorama Building. 1-15 IN continues attack into NAls 9, 10, and 11, 1/1 NP express hesitance in proceeding beyond phase line Pinto.

-1340: Searches complete within NAls 8-11, forces begin movement to consolidate along RTE CROC. 1/1 NP confirm that they will not proceed beyond PL Pinto, 1-15 IN begins movement begin exfill.

-1514: B/1-15 reports heat stroke casualty and submits 9-Line.

-1540: Attack Aviation (Crazy horse 6) on station and moves to MB 647 600.

-1555: MEDEVAC wheels up, transporting 1 x Soldier to 28th CSH.

-1619: Aviation positively identifies location of IED VIC (b)(6)

Hammer 6 gives approval and engaged with 20 x rds of 30mm, observes secondary explosion.

-1630: A/1-15, B/1-15, & Dragon TAC RP. C/1-15 remains in place IOT facilitate 1/15 IN exfiltration.

-1705: C/1-15 RP to COP Cleary.



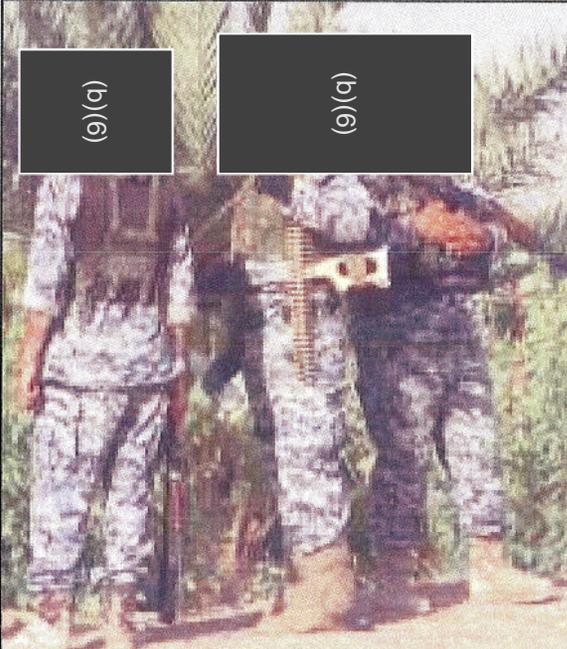
(b)(3), (b)(6)



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

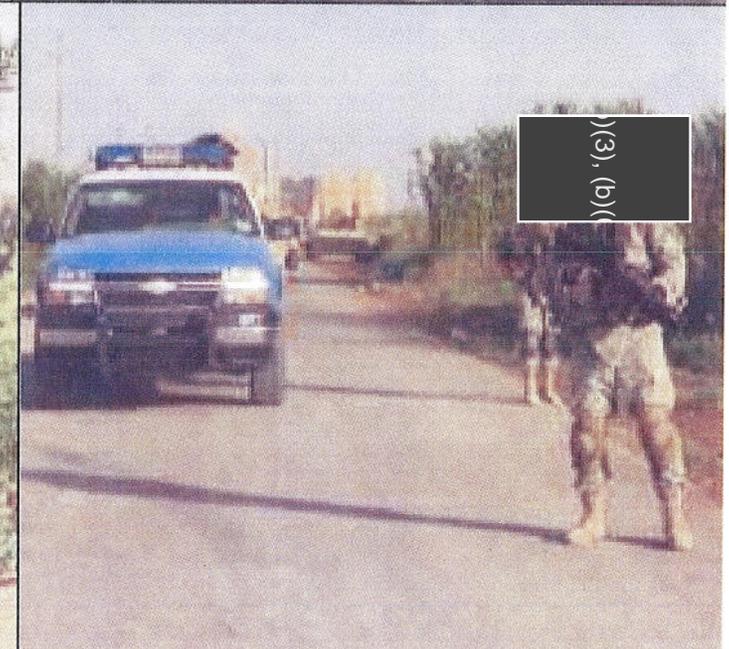
(b)(3), (b)(6)

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



(b)(6)

(b)(6)



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

TAB 33









