



UNITED STATES CENTRAL COMMAND  
OFFICE OF THE COMMANDER  
7115 SOUTH BOUNDARY BOULEVARD  
MACDILL AIR FORCE BASE, FLORIDA 33621-5101

CCJA

MEMORANDUM FOR

Commander, U.S. Central Command Air Forces, Shaw Air Force Base,  
South Carolina 29152-5000  
Commander, U.S. Army Forces Central Command, Fort McPherson,  
Georgia 30330-5000  
Commander, U.S. Naval Forces Central Command, FPO AE 09501-6008  
Commander, U.S. Marine Forces Central Command, Camp H. M. Smith,  
Hawaii 96861-5001  
Commander, Special Operations Command Central, MacDill AFB,  
Florida 33621-5101  
Commander, Multi-National Forces-Iraq, Baghdad, Iraq,  
APO AE 09304  
Commander, Combined Forces Command-Afghanistan, Bagram Airbase,  
Afghanistan APO AE 09356  
Commander, Combined/Joint Task Force Horn of Africa (HOA), APO  
AE 09363

SUBJECT: Investigation of Friendly Fire Incident on 20  
September 2004, Naka, Paktika Province, Afghanistan, Specialist  
Wesley Robert Wells

REF: DoD Instruction 6055.7, 3 Oct 00, *Accident Investigation,  
Reporting, and Record Keeping*

1. The Investigative Report, the command and recommendations are in substantial compliance with the reference and are approved. The findings of fact, analysis, conclusions, and opinions as to the cause of the incident and contributing factors are approved. The Report is forwarded for evaluation and any action you deem appropriate.
2. There is to be no public release concerning this matter until the required next-of-kin notification has occurred. When that has been accomplished USCENTCOM will authorize the public release of this report.

CCJA

SUBJECT: Investigation of Friendly Fire Incident on 20  
September 2004, Naka, Province, Afghanistan, Specialist Wesley  
Robert Wells

3. All requests concerning the report made pursuant to the  
Freedom of Information Act and/or Privacy Act should be  
forwarded to USCENTCOM, attention FOIA Officer.

4. All other inquiries concerning this investigation should be  
directed to COL [REDACTED] USCENTCOM Staff Judge Advocate, at  
(813) 827-6422.

Encl  
as

[REDACTED]

General, USA



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Encl  
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[REDACTED]  
General, USA



		YES	NO <sup>1</sup>	NA <sup>2</sup>
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?	X		
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?			X
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X		
	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?	X		
	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)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
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)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
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)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
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?			
	b. Was the date of delivery at least five working days prior to the first session of the board?			
	c. Does each letter of notification indicate —			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d. Was the respondent provided a copy of all unclassified documents in the case file?			
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
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)?			
	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)?			
11	Counsel (para 5-6, AR 15-6):			
	a. Was each respondent represented by counsel?			
	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?			
	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)?			
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?			
	b. Did each member successfully challenged cease to participate in the proceedings?			
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?			
	b. Examine and object to the introduction of real and documentary evidence, including written statements?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
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)?			
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)?			
<b>FOOTNOTES:</b> <sup>1</sup> Explain all negative answers on an attached sheet. <sup>2</sup> 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:

SPC Wesley Robert Wells, while engaged in intense combat with anti-coalition militia (ACM), was killed as a result of friendly fire. This fire came from positions manned by 3rd Platoon, A Company, 2-27 Infantry and did not involve adjacent units involved in the operation. The friendly fire was not deliberate nor was SPC Wells mistaken for an enemy soldier. The incident occurred as SPC Wells conducted a tactical movement back toward friendly positions and moved into the crossfire between enemy and friendly combatants.

SEE ATTACHED Memorandum dated 14 October 2004

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

No further investigation required. The evidence supports that the death of SPC Wesley R. Wells was not a violation of the rules of engagement but rather a tragic accident of a wounded soldier, who while attempting to return to friendly positions, moved into a crossfire between enemy and friendly combatants. The evidence supports that he was not mistaken for an enemy soldier and deliberately fired upon by members of his own platoon.

This was an experienced platoon with experienced leadership that had conducted numerous short-range and long-range patrols in the last 7 months in Afghanistan. They had also been involved in other contacts before the engagement on 20 September, 2004. When the enemy executed the ambush in Neika Valley and placed the platoon under heavy small arms and RPG fire, the platoon reacted as they had before and immediately returned fire in the direction of the enemy contact in order to suppress the enemy positions and to continue to develop the situation. The contact only lasted several minutes and the quick reaction of the platoon in returning fire forced the enemy to break contact, thus preventing further injuries to coalition forces.

SEE ATTACHED Memorandum dated 14 October 2004

**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.)

_____	See Attached Memorandum
(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.)

\_\_\_\_\_  
22 OCT 2014  
\_\_\_\_\_  
Major General, US  
Commanding



DEPARTMENT OF DEFENSE  
HEADQUARTERS, COMBINED/JOINT TASK FORCE (CJTF)-76  
BAGRAM AIRFIELD, AFGHANISTAN  
APO AE 09354

REPLY TO  
ATTENTION OF:

CJTF-76-SJA

21 October 2004

MEMORANDUM FOR Commanding General, Combined/Joint Task Force-76, Bagram Airfield, Afghanistan APO AE 09354

SUBJECT: Legal Review – AR 15-6 Investigation – Suspected Friendly Fire Incident (Naka, Afghanistan on 20 September 2004)

1. I have reviewed the AR 15-6 Investigation conducted by [REDACTED] into the suspected friendly fire incident near Naka, Afghanistan on 20 September 2004. The investigation complies with legal requirements and I have identified no errors. The evidence supports the findings. The recommendation that no further action be taken is consistent with the findings. You may take action on this investigation by completing Section VIII of the DA Form 1574.
2. Rules of Engagement. The investigating officer found that on 20 September 2004, 3<sup>rd</sup> Platoon, A Company, 2-27 Infantry became caught in an engagement with ACMs in the vicinity of Naka, Afghanistan. During the course of this engagement SPC Wesley Robert Wells attempted a tactical movement back to his unit's VCP and in doing so moved into the crossfire of friendly and enemy combatants. As a result of his actions he was shot and subsequently died from his wounds. The investigator found that he was shot 5 times by both friendly and enemy fire. The round that killed him was a 5.56mm round that bypassed his flak vest entering his chest through his right shoulder. SPC Wells' death was not caused through a violation of the rules of engagement. The investigator determined there was no fault, finding that the members of his unit did not deliberately cause his death nor did they mistake him for an enemy soldier. Ultimately SPC Wells' death was found to be accidental.
3. The POC for this memorandum is the undersigned at [REDACTED]

[REDACTED]  
JA  
Operational Law Judge Advocate



DEPARTMENT OF THE ARMY  
HEADQUARTERS AND HEADQUARTERS COMPANY, 2ND BATTALION, 27TH INFANTRY  
AFGHANISTAN APO AE 09385



Reply to  
Attention of:

APVG-ZZB-HHC

14 OCT 04

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 Investigation into the circumstances of the death of SPC Wesley Robert Wells on 20 September, 2004 in Neka District, Paktika Province, Afghanistan.

**1. Description of supporting exhibits:** There are 43 exhibits that support the findings and recommendations of this report. They are organized as follows:

- a. Exhibit 1: Overview of OPERATION COLD HARBOR (classified SECRET/NOFORN)
- b. Exhibit 2: Overview of 3/A/2-27 Vehicle Checkpoint
- c. Exhibit 3: Preliminary Autopsy Report on SPC Wesley Robert Wells
- d. Exhibits 4-11: Sketches and photos of the engagement area from both the friendly and enemy perspective
- e. Exhibit 12: Email reference caliber of rounds recovered from SPC Wells
- f. Exhibit 13-42: Sworn Statements from the members of 3/A/2-27
- g. Exhibit 43: Operational Summary from [redacted] element involved in OPERATION COLD HARBOR

**2. Background:**

a. OPERATION LITTLE ROUND TOP: 3<sup>rd</sup> Platoon, A Company, 2-27 Infantry was TACON to [redacted] in support OPERATION LITTLE ROUND TOP. This operation was to begin on 19 September and involved a movement to Bermel Valley (42S WB 3214) in order to assist in the linkup of PAKMIL and [redacted] forces near a checkpoint along the Afghan-Pakistan border. 3<sup>rd</sup> Platoon consisted of 33 personnel and was task organized with a company 60mm mortar and a battalion 81mm mortar. [redacted] had TACON of 3/A/2-27 IN for the duration of the operation in Bermel Valley.

Prior to departure from FOB Orgun-E however, the CFT Commander received additional intel that caused a postponement of the operation in Bermel Valley in lieu of OPERATION COLD

HARBOR. For OP COLD HARBOR, the command relationship between [redacted] and 3/A/2-27 IN remained the same as well as the 3/A/2-27 task organization.

b. OPERATION COLD HARBOR:

(1) Intel: From 10 - 18 September there was both [redacted] and HUMINT collected and developed by [redacted] and TF 2-27 IN that indicated that there were individuals located in the Neka/Zeruk district of Paktika Province associated with the [redacted] network who had infiltrated from Miram Shah, Pakistan with the purpose of disrupting elections in northern Paktika Province. These individuals were coordinating with facilitators in Neka Valley in order to deliver IED-making material and to provide funding for future medical assistance. The facilitators were identified [redacted] who live in Neka Valley. This intel culminated with [redacted] on 190248Z September that identified a [redacted] located north of Zeruk.

(2) Operations: Based upon the emerging intel, on 19 September CJSOTF forces launched an air assault raid to identify and capture source of [redacted], 3/A/2-27 IN, and an element moved to blocking positions vic Zeruk to control all movement south out of the CJSOTF objective area and to posture for follow-on operations into Neka Valley to capture the two mullahs identified as facilitators. The force used for this mission was the original task organization for the operation in Bermel Valley. This force departed FOB Orgun-E at 191400Z and arrived at the village of Zeruk at 191700Z. The CJSOTF raid did not find the source of the [redacted] so the [redacted] element (along with [redacted] and 3/A/2-27) moved into Neka Valley in order to conduct the follow-on operation to capture [redacted] identified as facilitators. 3/A/2-27's task in this follow-on operation was to establish a vehicle checkpoint (VCP) along the main entrance into Neka Valley and to prevent any traffic from entering the valley during the operation and to conduct vehicle and personnel searches on any traffic exiting the valley. 3/A/2-27 established the VCP at 42S WB 274072 on 19 September. (See Exhibit 1)

3. Facts:

a. The vehicle checkpoint (VCP) established by 3/A/2-27 consisted of 33 personnel, 5 GMVs (Ground Mobility Vehicles), 1 81mm mortar, 1 60mm mortar, 1 MK-19, 2 M2 .50 caliber machine guns, 1 M240B, 5 M249 SAWs, and 19 M4 rifles (see Exhibit 2)

b. The platoon established one observation post to provide local security. The eastern OP was located vic WB 271078 and the western OP was templated at vic WB 256703. The eastern OP was manned by four personnel beginning at 191930Z SEPT and the western OP was never manned; personnel were enroute to the western OP when the engagement occurred.

c. The terrain in the vicinity of the VCP is severely restricted with high ground on both sides of the road. The terrain on the right side of the road is a continuous ridgeline marked by deep draws and the terrain on the western side of the road is bordered by a north-south running riverbed. 300 meters to the east of the riverbed, is another north-south running ridgeline characterized by deep draws.

d. Both squad leaders' vehicles were placed at the northern and southern end of the VCP. Their vehicles physically blocked the road in order to accomplish the platoon's task of controlling vehicle traffic into and out of Neka Valley. The platoon leader's and platoon sergeant's vehicle were both located in the center of the VCP to provide command and control and security for both mortar systems. The 81mm mortar was emplaced near the platoon sergeant's vehicle and the 60mm mortar was located near the platoon leader's vehicle.

e. Key leaders present in the patrol were [REDACTED] Platoon Leader; [REDACTED], Company First Sergeant; [REDACTED], Acting Platoon Sergeant, [REDACTED], 3rd Squad Leader, and [REDACTED], 2nd Squad Leader.

f. The eastern OP originally consisted of 4 personnel, [REDACTED], [REDACTED], [REDACTED], and [REDACTED]. At approximately 0130Z, 20 September, the 4 personnel collapsed the OP and moved back to their squad vehicle and made preparations to depart the area.

g. At approximately 0215Z, due to a change in the mission that would require the platoon to remain in place longer than expected, a second team consisting of [REDACTED], [REDACTED] and SPC Wells moved back and reoccupied the eastern OP. Exhibit 2 marks the approximate locations of 3/A/2-27 personnel just prior to the initiation of the attack and the location of key terrain.

#### 4. Summary of the engagement between 3/A/2-27 IN and ACM vic Neka Valley:

a. Passage of [REDACTED] element through 3/A/2-27 VCP: At approximately 0225Z, an [REDACTED] force consisting of U.S. personnel and indigenous forces passed through the VCP moving from north to south. There is a discrepancy between the time reported by 3/A/2-27 and the operational summary from [REDACTED] reported the passage as being 0619L, 36 minutes sooner than the time reported by [REDACTED]. Can not explain this difference in the timing of the passage but do not believe that it has any bearing on the investigation's findings.

b. Initiation of Enemy Ambush: At approximately 0230Z, there was an explosion that occurred between the platoon sergeant's vehicle (Vehicle #4) and the 81mm mortar vehicle (Vehicle #3). There are conflicting reports on what caused the explosion. The personnel near the explosion believe that it was a RCIED used to initiate the ambush. After the engagement, pieces of plastic were found in the crater caused by the explosion. Other Soldiers saw an incoming RPG round and detonation either simultaneous or right after the first explosion. Pieces of the RPG were recovered from vicinity of the VCP. If the first explosion was an IED unable to determine how the mine was emplaced, armed, or detonated. Most likely scenario is that the ambush was triggered by the firing of the RPG round and was targeted at the 81mm mortar position that was located near the platoon sergeant's vehicle. Believe that in the initial confusion of the ambush, some members may have confused the detonation of the RPG round with two separate explosions.

c. 3/A/2-27 Soldiers Return Fire: Immediately following the explosion, the OP, the 3rd platoon VCP, and the [REDACTED] patrol began to receive small arms fire from the ridgeline to the northeast. Several members of 3rd Platoon and the rear vehicle of the [REDACTED] element returned fire at suspected enemy positions. Also key leaders in 3rd Platoon returned to their vehicles to direct fire at enemy positions (both squad leaders and the platoon leader were either at or moving away from the platoon sergeant's vehicle when the explosion occurred). The [REDACTED] patrol returned fire from the trail vehicle with AK-47s and a PKM and continued to move through the ambush and eventually established a blocking position at the southern end of the valley (see Exhibit 43).

d. SPC Wells begins movement toward the VCP: At some point during the engagement, several members of the platoon observed SPC Wells begin to move from the OP position and move toward the road. Several Soldiers observed SPC Wells low-crawling from the OP position toward the road but one Soldier said he saw him initially stand before he began low-crawling. As SPC Wells made his way down the spur toward the road, one Soldier observed him "go limp" and slide a few feet down the spur. He then came to a stop and this is where he was found once the enemy broke contact. The company first sergeant, platoon sergeant, platoon medic, and other members of the platoon found him laying facedown about midway between the OP position and the road. They immediately conducted first aid and then moved him to the road for medical evacuation.

## **5. Findings of the Preliminary Autopsy Report:**

a. On 23 September, 2004 an autopsy was performed on SPC Wesley Robert Wells at Port Mortuary, Dover AFB, Delaware. The full preliminary autopsy report can be found as Exhibit 3. Below is a summary of those findings.

b. There were a total of five wounds experienced by SPC Wells; a gunshot wound to the chest, a gunshot wound to the right hand, a gunshot wound to the left leg, a gunshot wound to the right leg, and a grazing wound to the left leg. The cause of death was the gunshot wound to the chest.

c. Of the five wounds, two projectiles were recovered. One deformed green-colored tip, jacketed bullet was recovered from the chest wound and a portion of a deformed jacketed bullet was recovered from the wound in the left leg. The characteristics of both rounds are consistent with a 5.56mm round and inconsistent with a 7.62mm round (see Exhibit 12).

d. The medical examiner was unable to determine the caliber of the round that caused the wounds to the right hand and right leg. There were metal fragments in both wounds but nothing recoverable in order to determine caliber.

e. Significant Characteristics of wounds to the left leg, right hand, and chest.

(1) The gunshot wound to the chest entered at the right shoulder and traveled in a downward direction from front to back and right to left.

(2) The round that caused the gunshot wound to the right hand entered from the left side and exited from the back half of the hand (dorsal aspect). The round traveled from left to right.

(3) The wound to the left leg was caused by a round that entered from the right side along the front portion of the leg. It traveled from right to left and lodged in the front muscle of the leg.

**6. Findings:** SPC Wesley Robert Wells, while engaged in intense combat with anti-coalition militia (ACM), was killed as a result of friendly fire. This fire came from friendly positions manned by 3<sup>rd</sup> Platoon, A Company, 2-27 Infantry and did not involve adjacent units involved in the operation. The friendly fire was not deliberate nor was SPC Wells mistaken for an enemy soldier. The incident occurred as SPC Wells conducted a tactical movement back toward friendly positions and moved into the crossfire between enemy and friendly combatants.

#### **7. Supporting Evidence:**

a. On 20 September, 2004, 3/A/2-27 was engaged by a well-organized enemy force that employed rocket-propelled grenades, small arms, and machine gun fire from commanding high ground. The ambush was initiated by either an improvised explosive device or RPG that targeted the platoon's most lethal weapon system, the 81mm mortar tube.

b. Two projectiles were removed from SPC Wells. Both projectiles are consistent with a 5.56mm round; they are inconsistent with a 7.62mm round (see Exhibit 3 and 12)

c. SPC Wells did not receive life-threatening wounds in the OP position. After the engagement started, several Soldiers observed SPC Wells low-crawling toward the VCP (see exhibits 15, 30, and 32). One Soldier observed him standing before he "dropped" to the ground and began low-crawling (see Exhibit 33). Even though the OP position was under intense enemy fire, both [REDACTED] and [REDACTED] stated that they did not receive any friendly fire during the engagement (see Exhibits 36 and 37). All rounds impacted forward of their position from an enemy position to their front.

d. The enemy fire was most intense from southeast of the VCP along the enemy ambush line. Soldiers reported not being able to see enemy fighters due to the rising sun but could hear fire coming from the high ground to the southeast (see Exhibit 40). SPC Wells route as he moved back toward the vehicles placed him between the enemy positions and 4 of the 5 vehicle positions.

e. While there is no evidence of anyone firing at the actual OP position, there are reports of Soldiers firing in a southeasterly direction where enemy contact was heaviest. This direction

of fire would place SPC Wells in a crossfire along his route of movement as he moved back toward the VCP.

(1) [REDACTED] the platoon sergeant, observed one Soldier near Vehicle #2 firing in a southeasterly direction toward the enemy positions. He had to call out for the soldier to watch out for the OP position (see Exhibit 32). [REDACTED] also observed SPC Wells low-crawling from the OP position. As he moved down, he noticed SPC Wells go "limp" and slide a few feet down the hill not under his own power. May be indicative of when SPC Wells suffered the fatal wound.

(2) Soldiers were observed firing in the direction of the OP (which was southeast of Vehicle #1 and #2) during the engagement and another Soldier observed rounds impacting the northern side (friendly side) of the spur where the OP was located (see Exhibit 17, 20, 21, 35).

(3) A Soldier at Vehicle #2 did not fire at identified enemy positions but in a southeasterly direction that would have placed his fire along the path that SPC Wells was using to return to the VCP (see Exhibit 4).

f. The direction and point of entry of the lethal round is consistent with receiving fire from friendly positions while low-crawling toward the VCP. As SPC Wells moved from the OP position, he would have been exposed to friendly fire from his right side on an upward trajectory.

g. Unable to explain when the wound to either leg occurred; the wound to the left leg can be assumed to be caused by friendly fire because the round retrieved from that wound is consistent with a 5.56 mm round.

h. Even though there is no ballistic evidence, the wound to the right hand was most likely caused by enemy fire. The entrance and exit point and direction of travel of the round is consistent with receiving fire from a higher position and from the left of SPC Wells. As SPC Wells moved down the crest of the spur, he presented the right side of his body to the friendly positions that could not see him (Vehicle #1 and #2). When he was in the OP, the other soldiers in the OP believe that he was oriented with the left side of his body toward the enemy ambush line (see Exhibit 36).

i. There is physical evidence of small arms friendly fire at the location where SPC Wells was found following the engagement (see Exhibit 10).

j. The OP position is located on a prominent spur that runs west from the enemy ambush line. It is covered by heavy vegetation that would have made not only identification difficult but would have completely obscured SPC Wells as he low-crawled toward the VCP (see Exhibit 5 and 6). This is further exacerbated by the fact that SPC Wells moved along the crest of the spur toward the VCP (see Exhibit 5, 6, 8, 9).

**8. Summary:** The evidence supports the assumption that SPC Wells was killed as he moved back toward the VCP by friendly fire. There is no evidence that he received any wounds to friendly fire in the actual OP and there is physical evidence of friendly fire along SPC Wells route of movement. Even though some Soldiers could see him moving down the hill, the vegetation and the fact that SPC Wells was low-crawling prevented other Soldiers from knowing that he was returning to the VCP until [REDACTED] called to watch out for the OP. It is unclear why SPC Wells was returning to the VCP. It is probable that he suffered the wound to his right hand from enemy fire while in the OP position. Being unable to retrieve his weapon due to the wound in his hand and realizing that he needed immediate medical care, he may have been returning to the VCP where the platoon medic was located. He moved tactically down the spur to avoid the enemy fire but his route and method of movement also prevented other members of his platoon from seeing him as he moved into the crossfire from both enemy and friendly positions.

**9. Recommendations:** No further investigation required. The evidence supports that the death of SPC Wesley R. Wells was not a violation of the rules of engagement but rather a tragic accident of a wounded soldier who, while attempting to return to friendly positions, moved into a crossfire between enemy and friendly combatants. The evidence supports that he was not mistaken for an enemy soldier and deliberately fired upon by members of his own platoon.

This was an experienced platoon with experienced leadership that had conducted numerous short-range and long-range patrols in the last 7 months in Afghanistan. They had also been involved in other contacts before the engagement on 20 September, 2004. When the enemy executed the ambush in Neka Valley and placed the platoon under heavy small arms and RPG fire, the platoon reacted as they had before and immediately returned fire in the direction of the enemy contact in order to suppress the enemy positions and to continue to develop the situation. The contact only lasted several minutes and the quick reaction of the platoon in returning fire forced the enemy to break contact, thus preventing further injuries to coalition forces.

10. Point of contact is the undersigned at 303-588-4422, [REDACTED]@baf.cjtf180.army.mil.

[REDACTED]  
Investigating Officer



**DEPARTMENT OF DEFENSE**  
**HEADQUARTERS, COMBINED JOINT TASK FORCE (CJTF)-76**  
**BAGRAM AIRFIELD, AFGHANISTAN**  
**APO AE 96354**

28 SEP 2004

REPLY TO  
ATTENTION OF:

CJTF-76-COS

MEMORANDUM FOR [REDACTED] HHC 2-27 IN, FOB, Orgun-E, Afghanistan

SUBJECT: Appointment of Investigating Officers – Death of SPC Wesley Robert Wells

1. You are hereby appointed as an investigating officer pursuant to AR 600-8-1, paragraph 2-12d and AR 15-6, paragraph 4-3, to conduct an informal investigation into the facts and circumstances surrounding the death of SPC Wesley Robert Wells, A CO 2-27 IN in the vicinity of Naka, Afghanistan at approximately 0226Z on 20 September 2004.

2. You will investigate, and your final report will address, the circumstances surrounding his death. At a minimum, you will specifically address the following issues.

- a. What was the cause of his death?
- b. What weapon, weapons system, or instrument was the source of what caused his death?
- c. Who was controlling or operating that weapon, weapons system, or instrument at the time of his death?
- d. Was SPC Wells' death the result of friendly fire?
- e. Were there any known friendly forces maneuvering in the area where the incident occurred?
- f. Were there any other known forces maneuvering in the area where the incident occurred?
- g. What Rules of Engagement (ROE) were in effect at the time of his death?
- h. Were these ROE being followed, and if not, how not and by whom?
- i. Were there any accidental actions that contributed to his death and if so, by whom?
- j. Were there any negligent actions that contributed to his death and if so, by whom?
- k. Were there any reckless actions or was there any intentional misconduct that contributed to his death, and if so by whom?
- l. Are there any systemic or leadership issues that contributed to the incident, and if so, what were they?
- m. Are there any tactics, techniques, or procedures that should be changed as a result of the incident?

CJTF-76-COS

SUBJECT: Appointment of Investigating Officers – Death of SPC Wesley Robert Wells

3. You will include any recommendations, including recommendations for disciplinary action against any US or coalition forces if appropriate.

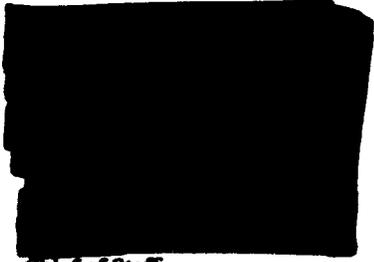
4. You must swear all witnesses to their statements. Your authority to administer oaths is Article 136(b)(4), the Uniform Code of Military Justice. If, in the course of your investigation, you come to suspect that individuals may have committed violations of the Uniform Code of Military Justice or federal law, you must advise them of their rights under the Uniform Code of Military Justice, Article 31(b), or the Fifth Amendment as appropriate. Your legal advisor can assist you with these matters.

5. You are to use informal procedures under the provisions of AR 15-6, Chapter 4, as a framework for conducting your investigation. In addition to sworn statements, attach the specific section of any regulation you reference. Note in your report any witnesses who would not answer questions or make a statement and any potential witnesses you are unable to contact as well as your efforts to contact them. From the evidence gathered, you are to make findings regarding the issues in paragraph 2 and any other pertinent areas that arise during your investigation. Based upon these findings of fact, you are to make specific recommendations as required in paragraph 3, to include any administrative or punitive actions deemed appropriate. Except for hand written sworn statements, which must be legible, your report will be type written, and your final findings and recommendations will be submitted on DA Form 1574. All administrative enclosures and evidentiary exhibits should be tabbed and indexed.

6. You may obtain initial legal advice, and continuing assistance, from  Deputy Staff Judge Advocate, Office of the Staff Judge Advocate, 231-4016, Room #233, JOC or from CPT

7. This investigation is your primary duty until completed. It will take precedence over all other duties. If you encounter any conflicts, report them to me immediately. Only I can grant you an extension. Submit the investigation to me NLT 14 October 2004.

FOR THE COMMANDER:



Chief of Staff

Encl.  
as



**SUMMARY OF ACTION**

**DATE: 20 SEPT 2004**

**LOCATION: NAKA, PAKTIKA PROVINCE AFGHANISTAN**

ON 20 SEPT 2004 [REDACTED] AND AN [REDACTED] WERE AMBUSHED BY SUSPECTED ACM/TALIBAN SUPPORTERS NEAR NAKA, PAKTIKA PROVINCE AFGHANISTAN. THE AMBUSH, INITIATED BY AUTOMATIC WEAPONS FIRE FROM THE EAST SIDE OF THE ROAD FROM NAKA TO ZIRUK, TARGETED USA 2/27 INFANTRY AND THE [REDACTED] AND [REDACTED] PASSING THE AREA IN VEHICLE CONVOY.

**TIMELINE:**

**APPROX. 0600 (L)** [REDACTED] LED AN [REDACTED] DEPARTING A RON SITE OUTSIDE NAKA, AFGHANISTAN. PRIOR TO DEPARTURE THE UNIT IN THE CONVOY WAS NOTIFIED OF A 2/27<sup>TH</sup> POSITION ALONG THE ROUTE TO ZIRUK. THE ONLY INFORMATION PROVIDED WAS THAT 2/27<sup>TH</sup> HAD MAINTAINED A VEHICLE CHECK POINT ALONG THE ROUTE.

**APPROX. 0619 (L)** [REDACTED] PASSED THE 2/27<sup>TH</sup> INFANTRY CHECK POINT. [REDACTED] ACKNOWLEDGED THE 2/27<sup>TH</sup> SOLDIERS WITH HAND WAVES AS THE CONVOY PASSED THROUGH THE CHECK POINT.

**APPROX. 0621 (L)** AT APPROX. 250 METERS FROM 2/27<sup>TH</sup> CHECK POINT [REDACTED] [REDACTED] CAME UNDER ENEMY FIRE FROM THE EAST SIDE OF THE ROAD AT APPROXIMATE GRID COORD WGS 84 WB 2771. FIRE APPEARED TO BE DIRECTED AT VEHICLE CONVOY. PER UNIT S.O.P. CONVOY INCREASED SPEED IN PUSHING THROUGH AMBUSH LOCATION. REAR ELEMENT OF CONVOY WAS UNDER ENEMY FIRE FOR APPROX 30 SECONDS. ONLY THE REAR ELEMENT OF THE CONVOY HAD THE OPPORTUNITY TO RETURN FIRE AND FIRE WAS BRIEF AS TARGET DISAPPEARED BELOW TERRAIN FEATURES. WEAPONS FIRED FROM REAR ELEMENT WERE AK-47'S AND 1 PKM MACHINE GUN. AMBUSH LOCATION WAS IDENTIFIED AS APPROX. 600M UP HILL SIDE.

**APPROX. 0622 (L)** CONVOY PASSED NEXT TERRAIN FEATURE AND SLOWED TO OBTAIN INFORMATION ON STATUS OF REAR ELEMENT WHICH WAS NOT IN VISUAL CONTACT WITH MAIN ELEMENT OF CONVOY. (DECISION WAS MADE TO NOT DISMOUNT AND PURSUE ATTACKERS DUE TO FRIENDLY FORCES IN THE AREA AND TARGET IDENTIFICATION DIFFICULTY.) ONCE CONVOY HAD REGAINED UNIT INTEGRITY MOVEMENT CONTINUED TO THE FOLLOWING TERRAIN FEATURE AT GC WGS 84 WB 2870.

**APPROX 0624 (L)** CONVOY SET UP IN DEFENSIVE PERIMETER TO PROVIDE BLOCKING FORCE FOR ACTIONS AT THE OBJECTIVE. ONE TO TWO ENEMY FORCES WERE NOTED VIA BINOCULARS AT THE SUSPECTED POINT OF

WHERE THE ENEMY OPENED FIRE ON THE [REDACTED]  
ONE INDIVIDUAL WAS NOTED WEARING A BLUE SHIRT. APPROXIMATELY  
ONE HOUR LATER, TWO INDIVIDUALS WERE NOTED WALKING ALONG THE  
SAME ROAD WHERE THE AMBUSH OCCURRED. ONE WAS WEARING A  
BLUE WOOL SWEATER UNDER HIS LOCAL SHIRT. A THRID INDIVIDUAL  
WAS DETAINED SOME MINUTES LATER. THEY WERE ACCOMPANIED BY  
DONKEYS, AND CLAIMED TO BE WOOD CUTTERS. DUE TO THE EARLY  
MORNING HOURS, THEY DID NOT HAVE TIME TO CUT AND STACK THE  
WOOD THEY HAD ON THE DONKEYS. ONE INDIVIDUAL HAD FRESH CUTS  
ON HIS NOSE THAT APPEARED TO COME FROM SHOOTING AN AK-47.

2nd Squad/3rd Platoon

1 GMV

8 personnel

Weapons: Mk-19, 2xM249, 2xM14s,

M203, 2xM-4s

Squad Leader: [REDACTED]

3/A/2-27

HQs Sec/3rd Platoon

3 GMV

17 personnel

Weapons: 81mm, 60mm, 2x.50cal, M249,

14xM-4s

Platoon Leader: [REDACTED]

Platoon Sergeant: [REDACTED]

Co 1SG: [REDACTED]

3rd Squad/3rd Platoon

1 GMV

8 personnel

Weapons: M240B, M203, 2xM249, M14, 3xM4s

Squad Leader: [REDACTED]

OP #1:

Originally manned by [REDACTED]

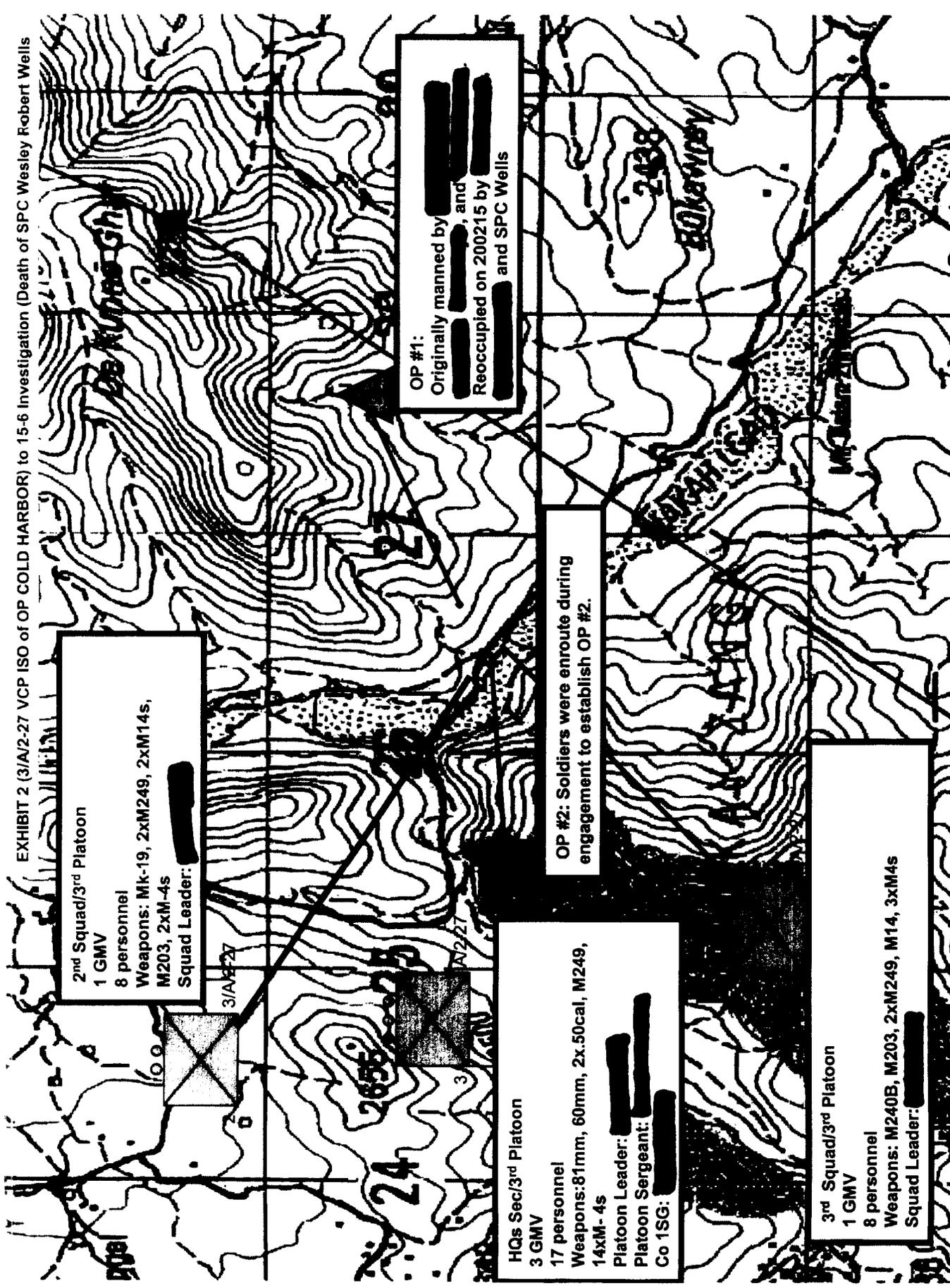
[REDACTED], and [REDACTED]

Reoccupied on 200215 by [REDACTED]

[REDACTED] and SPC Wells

OP #2: Soldiers were enroute during engagement to establish OP #2.

2038  
HOKAWISBY





**ARMED FORCES INSTITUTE OF PATHOLOGY**  
**Office of the Armed Forces Medical Examiner**  
1413 Research Blvd., Bldg. 102  
Rockville, MD 20850  
1-800-944-7912



**PRELIMINARY AUTOPSY REPORT**

Name: WELLS, Wesley Robert  
SSAN: [REDACTED]  
Date of Birth: [REDACTED]  
Date of Death: 20 SEP 2004  
Date of Autopsy: 23 SEP 2004

Autopsy No.: ME 04-706  
AFIP No.: Pending  
Rank: SPC, USA  
Place of Death: Afghanistan  
Place of Autopsy: Port Mortuary  
Dover AFB, DE

Date of Report: 23 SEP 2004

**Circumstances of Death:** This 21-year-old male, active duty US Army service member was killed while in combat operations supporting Operation Enduring Freedom.

**Authorization for Autopsy:** Office of the Armed Forces Medical Examiner, IAW 10 USC 1471

**Identification:** Positive identification by fingerprints

**CAUSE OF DEATH:** Gunshot Wound of Chest

**MANNER OF DEATH:** Homicide (Combat Related)

**These findings are preliminary, and subject to modification pending further investigation and laboratory testing.**

**PRELIMINARY AUTOPSY DIAGNOSES:**

- I. Indeterminate range gunshot wound of the chest
  - A. Entrance: right shoulder; no evidence of closed-range fire on the surrounding skin
  - B. Path: skin and muscles of the right shoulder, right pectoralis muscle, lateral right first intercostal space, upper lobe and lower lobe of the right lung, anterior right T6 vertebral body, thoracic aorta at T6 level, lower lobe of the left lung
  - C. Direction: front to back, right to left, and downward
  - D. Exit: none
  - E. Projectile: one deformed green-colored tip, jacketed bullet recovered in the medial aspect of the lower lobe of the left lung
  - F. Associated injuries:
    - a. Perforation of the right pectoralis muscle and right first intercostal space
    - b. Fracture of the lateral right 2<sup>nd</sup> rib
    - c. Perforation of the lateral apex of the upper lobe and medial-superior aspect of the lower lobe of the right lung
    - d. Right hemothorax (1000 ml of blood and blood clots)
    - e. Partial avulsion of the anterior right T6 vertebral body
    - f. Peri-aortic hemorrhage of the thoracic aorta from T3 – T9 level
    - g. Partial perforation of the posterior-lateral left pericardial sac
    - h. Penetrating of the medial-superior aspect of the lower lobe of the left lung with corresponding subpleural hemorrhage
  
- II. Indeterminate range gunshot wound of the right hand
  - A. Entrance: medial aspect of the right hand; no evidence of closed-range fire of the surrounding skin
  - B. Path: skin and soft tissue of the medial aspect of the right hand, skin and soft tissue of the dorsal aspect of the right hand
  - C. Direction: left to right
  - D. Exit: dorsal aspect of the right hand
  - E. Projectile: small metallic fragments noted on x-ray, not recovered
  
- III. Indeterminate range gunshot wound of the left leg
  - A. Entrance: medial aspect of the left leg, no evidence of closed-range fire of the surrounding skin
  - B. Path: skin and soft tissue of the medial aspect of the left leg
  - C. Direction: right to left
  - D. Exit: none
  - E. Projectile: portion of a deformed jacketed bullet recovered in the muscle of the anterior-medial left leg
  
- IV. Indeterminate range and direction gunshot wound of the right leg
  - A. Indeterminate entrance and exit wound due to medical intervention
  - B. Path: skin and soft tissue of the medial and posterior aspect of the right leg

- C. Projectile: multiple small metallic fragments noted on x-ray, not recovered
- V. Indeterminate range and direction grazing wound of the medial aspect of the left leg
- VI. Evidence collected is retained by OAFME for proper disposition
- VII. Medical interventions
  - A. Incision and sutured of the entrance wound of the right shoulder
  - B. Incision and sutured of the entrance wound of the medial aspect of the right hand
  - C. Incision and sutured of the exit wound of the dorsal surface of the right hand
  - D. Incision and sutured of the wound of the medial aspect of the right leg
  - E. Incision and sutured of the wound of the posterior aspect of the right leg
- VIII. No evidence of natural disease, within limits of the examination
- IX. Toxicology pending

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██████████  
Maj, USAF, MC  
Associate Medical Examiner

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██████████  
Lt Col, USAF, MC  
First Chief Deputy Medical Examiner

Exhibit 4 (Primary Direction of Fire for 3/A/2-27) to 15-6 Investigation (Death of SPC Wesley Robert Walls)

Direction of fire (M-4/M203/M249) .....	→
Direction of fire (M2 .50 cal/MK-19/M240B/M14) .....	→
Fired their weapon .....	●
Did not fire their weapon .....	○
Not available to confirm location and direction of fire .....	○
Movement after initial explosion .....	→
Subsequent location after movement .....	● or ○
Orientation of vehicle .....	→

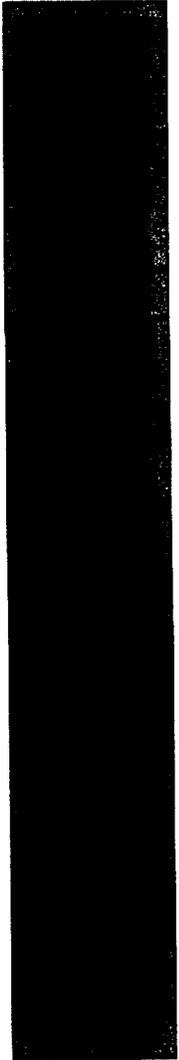
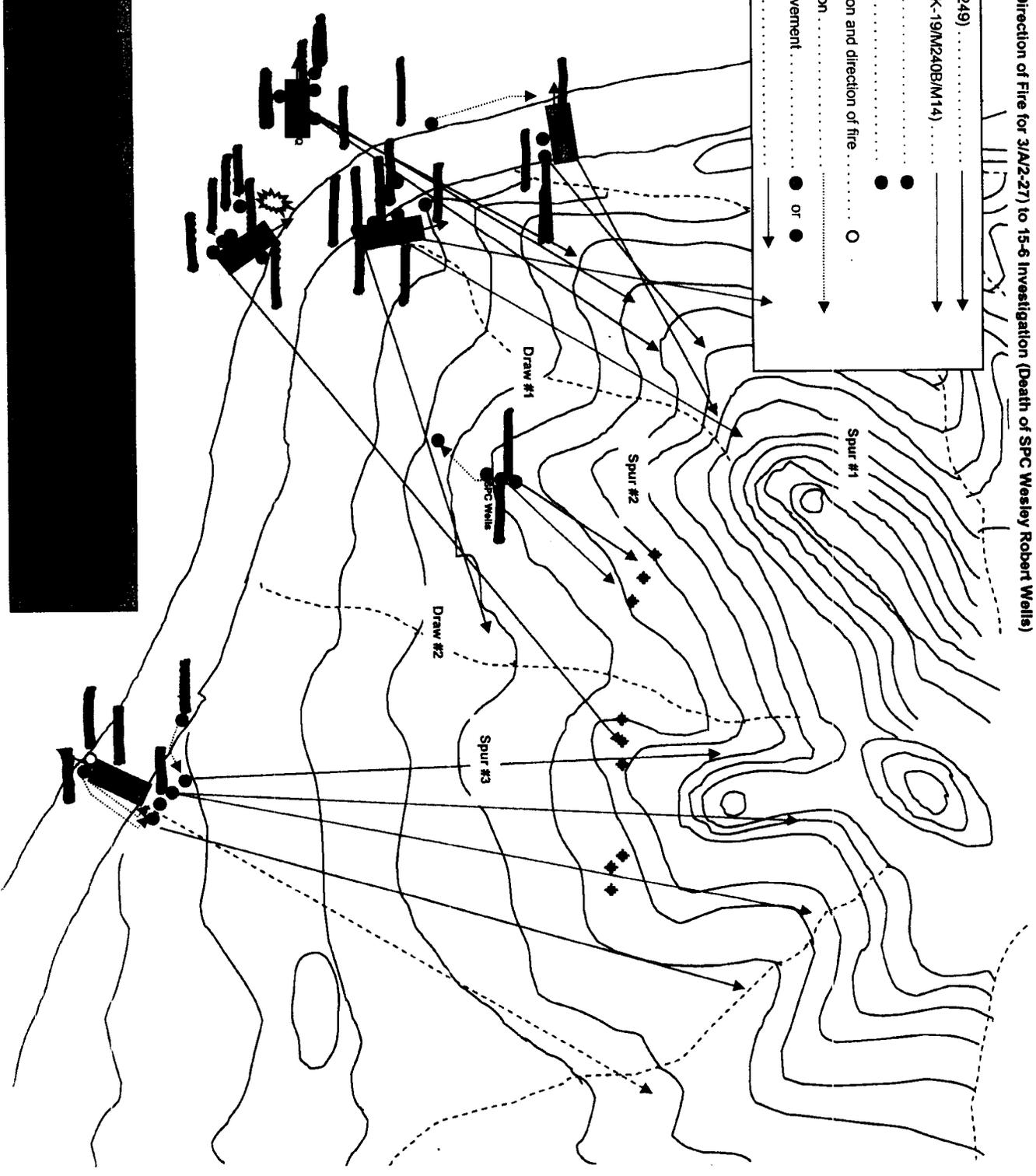
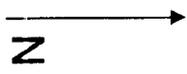


Exhibit 5 (Sectors of Fire from Vehicle #1) to 15-6 Investigation (Death of SPC Wesley Robert Wells)

View from Vehicle #1 looking northeast.  
At this location, there is a prominent spur that runs parallel to the road and blocks any fields of fire to the northeast and southeast.

Picture #1

Location OP

Location of SPC Wells following engagement

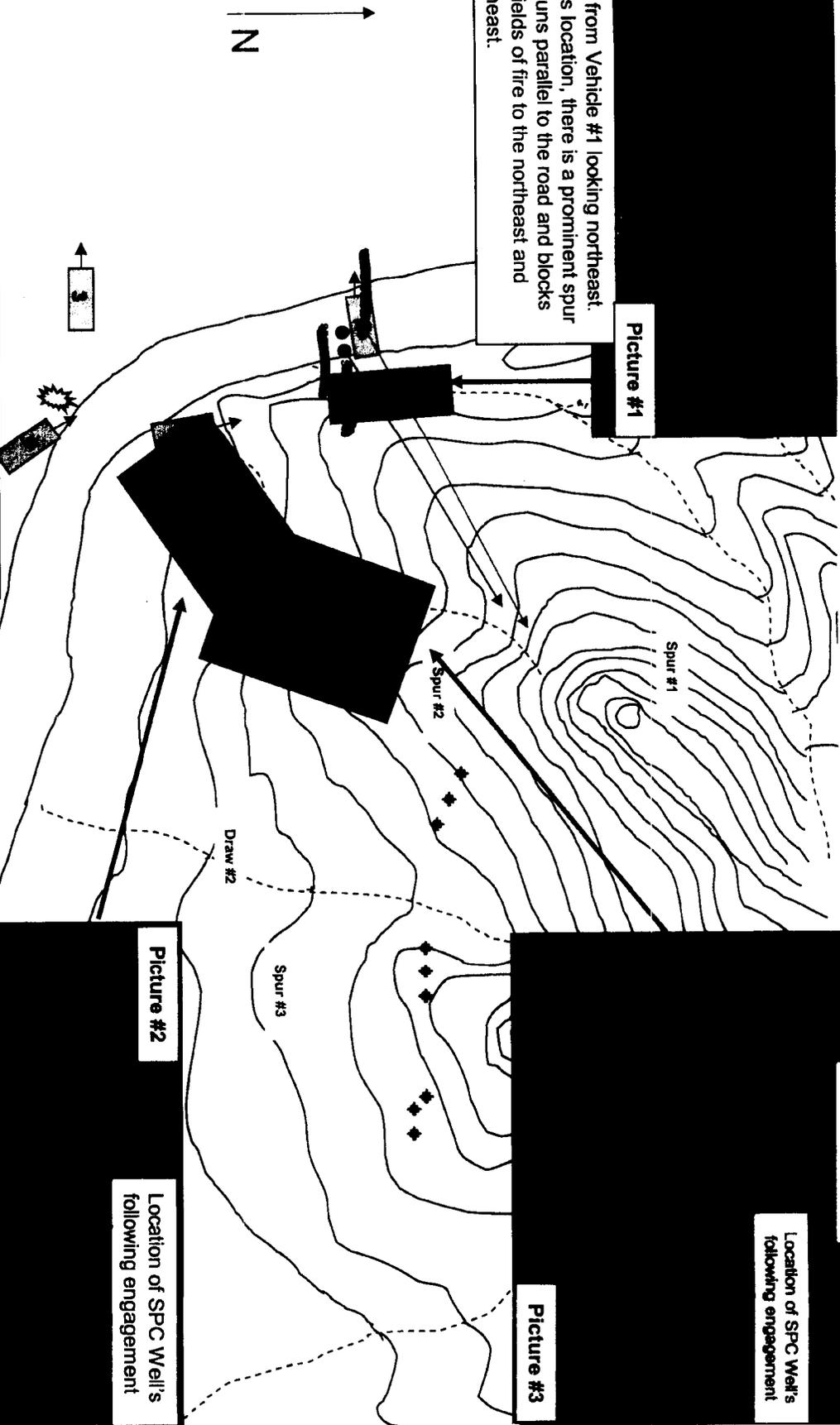
Picture #3

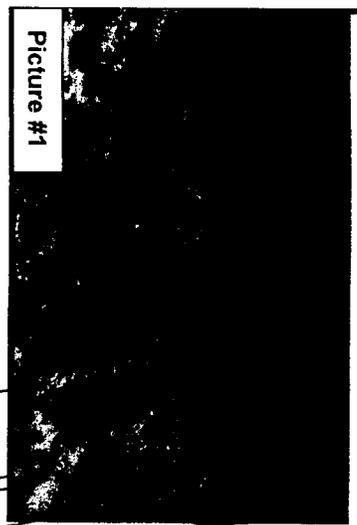
Picture #2

Location of SPC Wells following engagement

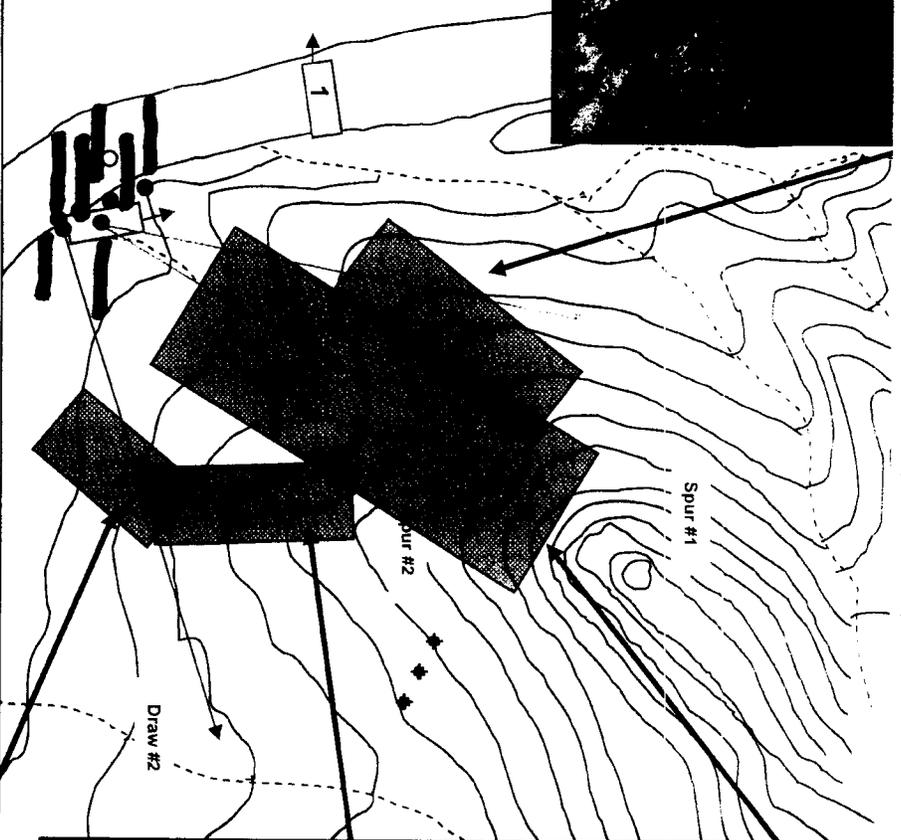
[REDACTED]

View from Vehicle #1 looking southeast. From this perspective, the north-south running spur does not obscure fields of fire and you can see the spur where the OP is located, the location of Vehicle #2 as well as where SPC Wells was found following the engagement. Picture #3 was taken from a wider angle giving a wider perspective.

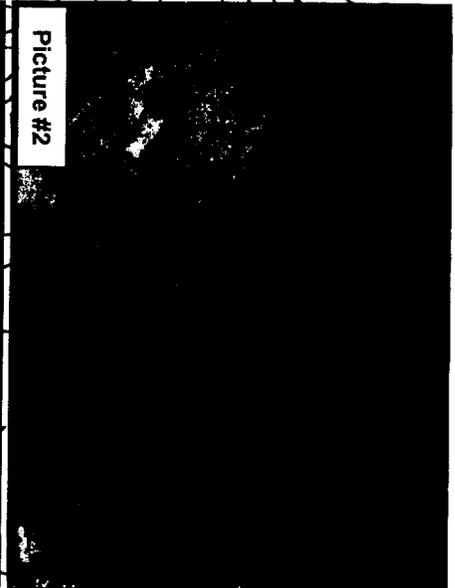




Picture #1

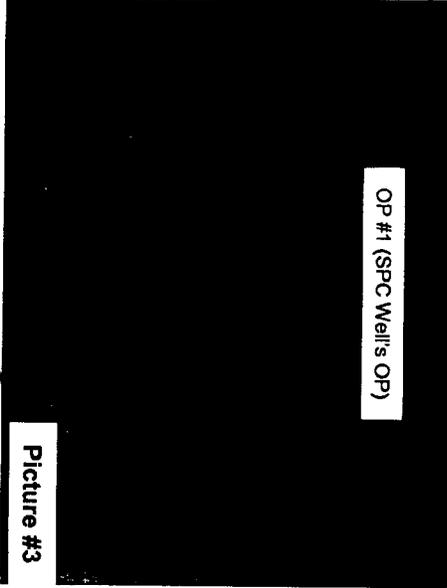


**Summary:** Vehicle #2's location presents fields of fire to the northeast, east, and southeast. The dominant terrain feature is Draw #1 which is seen in Picture #2. The OP is located along Spur #2 to the south of Draw #1. Picture #1 shows Spur #1 which is to the north of Draw #1. Spur #1 is the area that not only the .50 cal gunner from Vehicle #2 fired at, but this is also the location that both firers from Vehicle #1 claim they placed their fires. The OP was located along Spur #2. Its location in relation to Vehicle #2 is seen in Picture #3. The actual location of the OP is masked from Vehicle #2 by the crest of Spur #2. While the actual OP location is masked by the crest of the spur, SPC Wells's route as he low crawled from the OP toward the road exposes him to potential friendly fire from Vehicle #2. Picture #4 shows his route once personnel from other vehicles first observed him until he stopped moving. Personnel vic Vehicle #2 would not have seen this movement due to the fact that SPC Wells's was low crawling and the vegetation that covers Spur #2



Picture #2

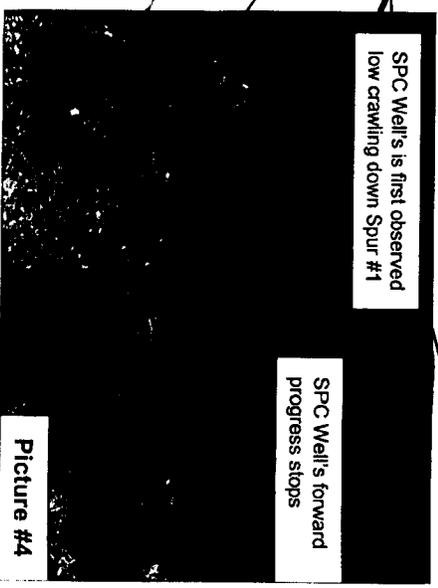
OP #1 (SPC Wells's OP)



Picture #3

SPC Wells's is first observed low crawling down Spur #1

SPC Wells's forward progress stops



Picture #4

Exhibit 7 (Sectors of Fire from Vehicle #3) to 15-6 Investigation (Death of SPC Wesley Robert Wells)

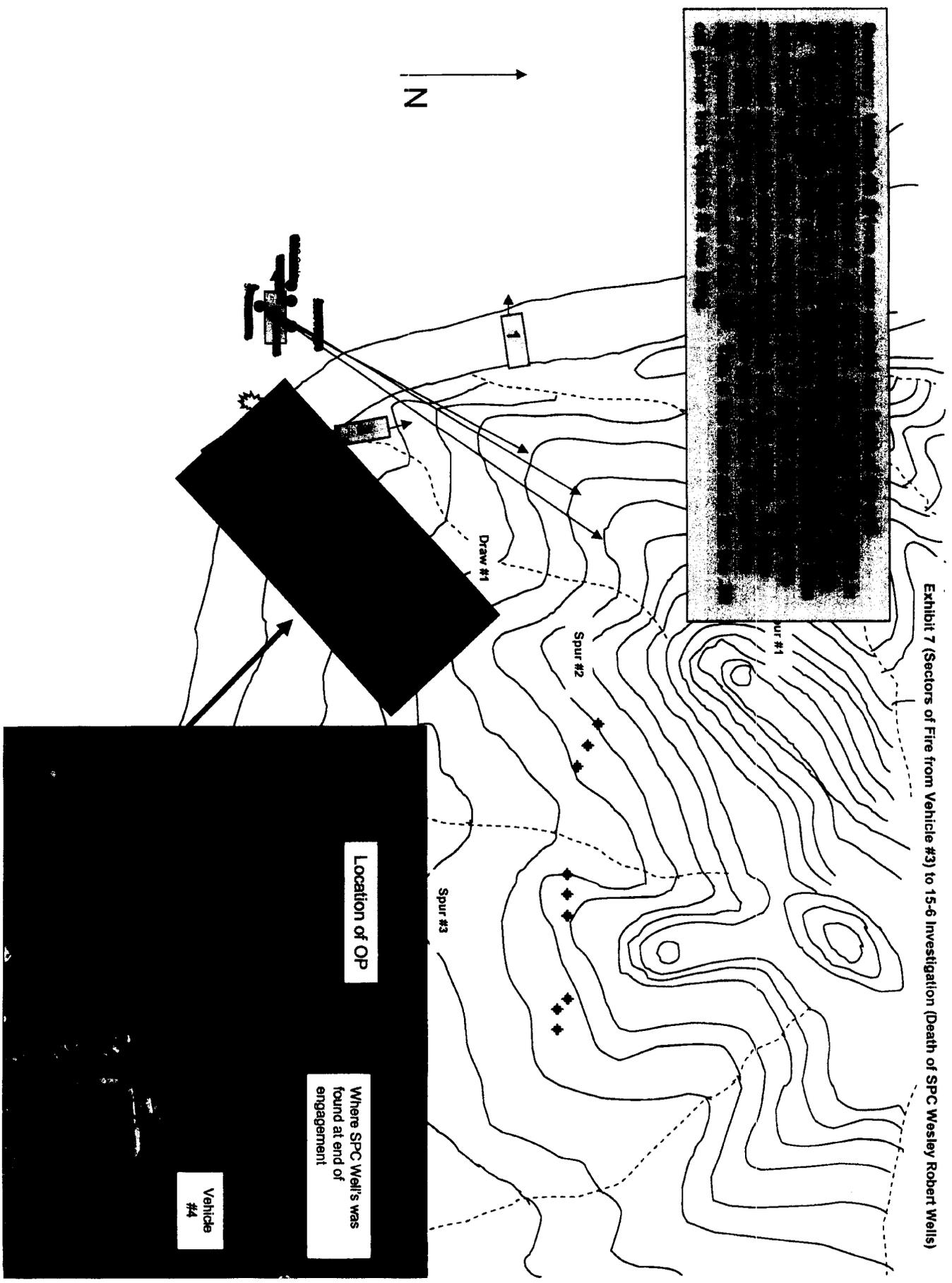
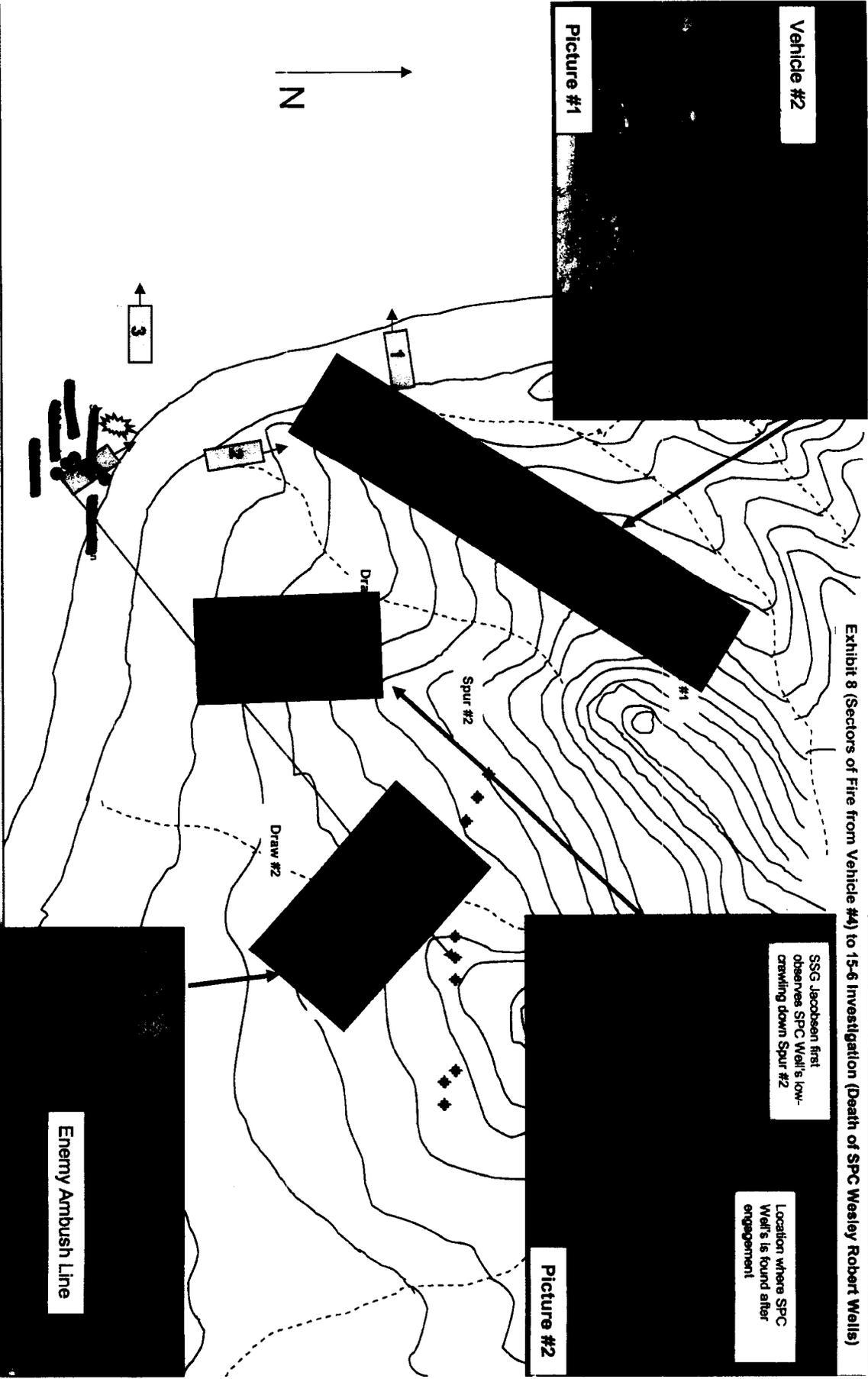


Exhibit 8 (Sectors of Fire from Vehicle #4) to 15-6 Investigation (Death of SPC Wesley Robert Wells)



Vehicle #2

Picture #1

SSG Jacobson first observes SPC Well's low-crawling down Spur #2

Location where SPC Well's is found after engagement

Picture #2

Enemy Ambush Line

Picture #3

[Redacted text]

OP

View from Vehicle #5 looking back toward the OP #1. Of the 5 vehicle positions, this location offers the best view of the actual OP location. Spur #2 flattens out approximately midway of its length providing the location the OP. As SPC Wolf's began movement from the OP back toward the VCP, the personnel at this vehicle would have had the best observation.

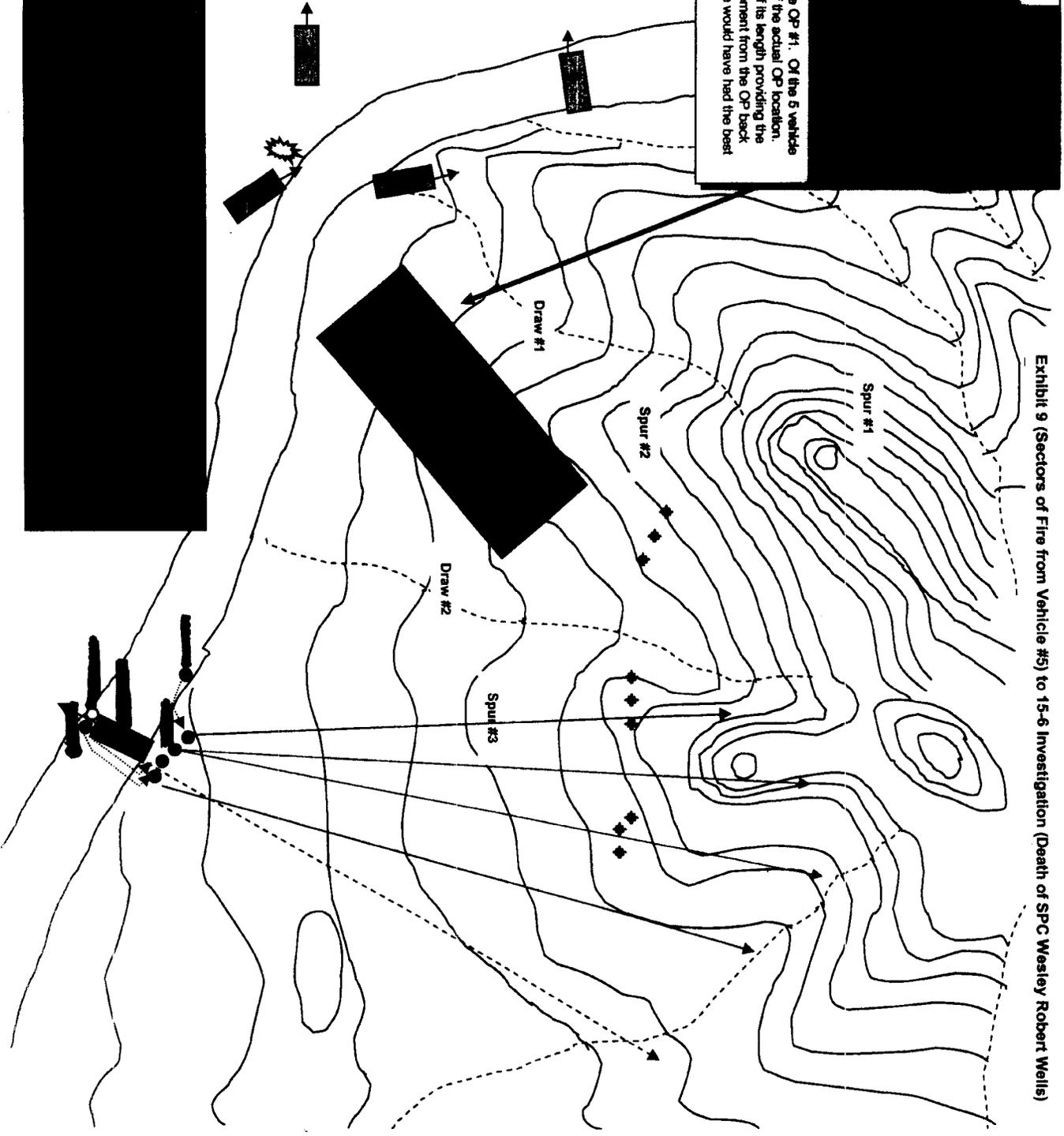


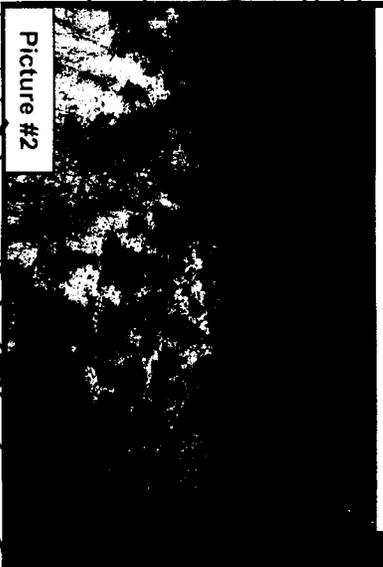
Exhibit 9 (Sectors of Fire from Vehicle #5) to 15-6 Investigation (Death of SPC Wesley Robert Wells)

View from SPC Well's last location looking back toward the VCP. The bush that was hit by a round is in the foreground. This view is oriented toward the center of the VCP where Vehicles #2, #3, and #4 were located.



Picture #1

View from the OP looking north toward enemy position



Picture #2

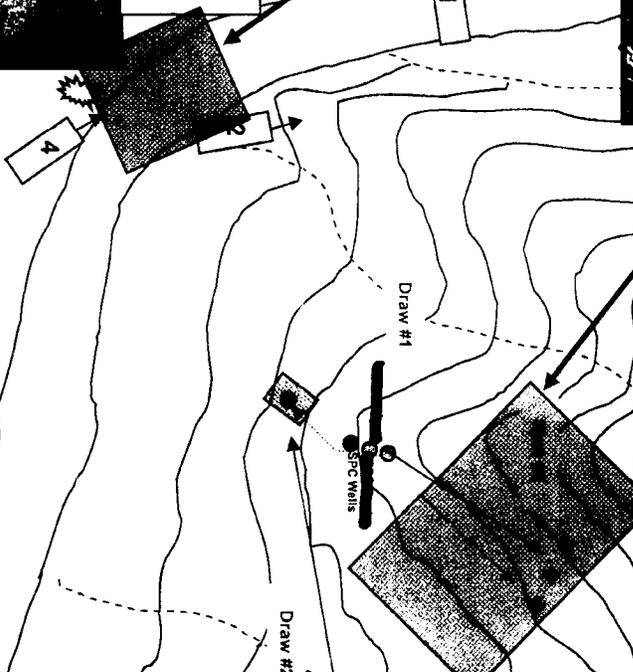
**Summary:** Picture #4 shows how Spur #2 flattens out midway between the VCP and the enemy position depicted in Picture #2. The OP was located on this flat piece of ground. SPC Well's position was generally believed oriented to the south or southeast. The other two soldiers in the OP were located approximately 5-10 meters further north-northwest (toward the enemy position). During the engagement, SPC Well's began to low-crawl from the OP toward the VCP. Picture #3 shows the location and position of his body when it was found after the engagement (approximately midway between the OP and the VCP). Significant is that a bullet hole was found in a shrub bush near where SPC Well's body was found. The round entered the bush from the direction of the VCP (Vehicle #1 or Vehicle #2) and exited toward the enemy ambush line. Indicates that friendly fire traversed SPC Well's line of movement during the attack. Unknown if the round that penetrated this bush also struck SPC Wells.

View of the OP looking back toward the VCP. Vehicle #5 can be seen in the background. The inset picture is believed to be an approximate location of SPC Well's during the beginning of the attack



Location of Vehicle #5

Picture #4



A replication of SPC Well's position and location when he was found immediately following the engagement. The inset picture is an exit hole from a bullet in the base of the shrub bush. The round entered from the direction of the VCP and exited toward the enemy ambush line.



Picture #3

Exhibit 10 (Sectors of Fire from OP #1 ) to 15-6 Investigation (Death of SPC Wesley Robert Wells)

View from enemy location toward the OP and VCP. The ground around the OP masks the center of the VCP from enemy fire at this location.

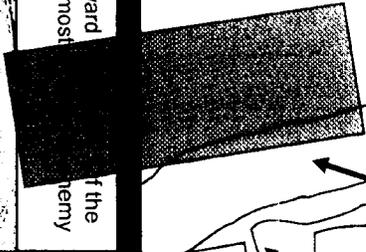
OP



Picture #1

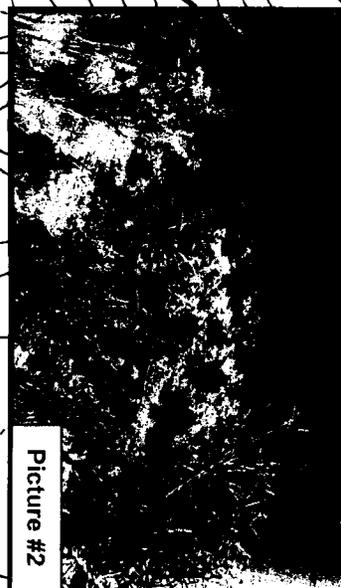


View from enemy location toward five vehicles, Vehicle #5 was most fire from the ambush line



Picture #3

View from the OP back toward the northern limit of the enemy ambush line. Believed that most of the enemy fire toward the OP came from this location.



Picture #2

Summary: Based upon the statements from the soldiers involved in the ambush and the presence of 7.62 casings, the enemy had established an ambush line that ran along the ridgeline that frames the eastern side of the valley that connects the villages of Neka and Zeruk. An [redacted] unit was also engaged by small arms fire further south from the same ridgeline so it appears that this was an extensive ambush line. Do not believe that the ambush was established any further north than Draw #1. No one at the VCP reported receiving fire from Spur #1 or further north. The high ground vic Spur #2 directly overlooks the OP (as seen in Picture #1) but the OP position masks the center and northern sections of the VCP. Based upon this and statements from the soldiers at the OP, believe that most of the initial fire during the attack was directed at the OP and Vehicle #5.

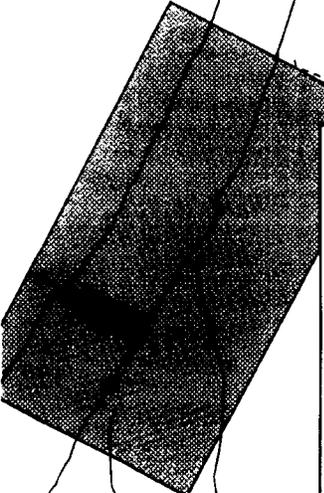


Exhibit 11 (Enemy Ambush Line) to 15-6 Investigation (Death of SPC Wesley Robert Wells)

Exhibit 12 (Email from [REDACTED] Office of the Armed Forces Medical Examiner) to  
15-6 Investigation (Death of SPC Wesley Robert Wells)

**From:** [REDACTED]  
**Sent:** Tuesday, October 12, 2004 5:13 AM  
**To:** [REDACTED] (BAE)  
**Cc:** [REDACTED]  
**Subject:** RE: Green tip  
[REDACTED]

Photographs of the two questioned rounds removed from SPC WELLS were provided to the US Army Criminal Investigation Laboratory. An examination of the photographs by a forensic firearms examiner revealed the rounds are consistent with being M855 5.56mm fired bullets. It is not consistent with being a 7.62x39mm rounds.

v/r

[REDACTED]  
**Office of the Armed Forces Medical Examiner**  
**Armed Forces Institute of Pathology**  
[REDACTED]

**Office: (301) 319-0132**  
**Fax: (301) 319-0635**

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Tuesday, October 05, 2004 9:52 AM  
**To:** [REDACTED] (BAE)  
**Cc:** [REDACTED]  
**Subject:** RE: Green tip

Sir,

Two rounds were removed from SPC WELLS. Both appear to be 5.56. While I am not a forensic firearms examiner, I have received extensive training in the field. As the Agent assigned to the MEs office, it's my job to obtain what information I can regarding the incident in which SPC WELLS died. I'd asked the Bagram CID office to review the SIGACTS regarding the incident to see if further questions needed to be asked; however, they've been working an EPW death as well as a suicide and haven't responded yet.

Do you have any additional information regarding the circumstances of his death?

v/r

[REDACTED]  
**Office of the Armed Forces Medical Examiner**  
**Armed Forces Institute of Pathology**  
[REDACTED]

Exhibit 12 (Email from [REDACTED] Office of the Armed Forces Medical Examiner) to  
15-6 Investigation (Death of SPC Wesley Robert Wells)

[REDACTED]

-----Original Message-----

From: [REDACTED]  
Sent: Monday, September 27, 2004 10:39 AM  
To: [REDACTED] (mailto:[REDACTED])  
Cc: [REDACTED]  
Subject: FW: Green tip

Mr [REDACTED]

I sent this to [REDACTED] last week, but I'm guessing he didn't get it.

On 20 Sep 04, SPC Wesley R. WELLS, [REDACTED] ME 04-706 died during a skirmish in eastern Afghanistan's Paktika province. There are no indications in the media reports that it was a friendly fire incident; however, the two rounds removed during autopsy have all the characteristics of a 5.56 round - narrow and slender, not like a larger 7.62 round. I don't know what the bad guys use in your theater, but can you check the SIGACTS to see if anything funny is reported there. DA Casualty will have to initiate a 15-6 is we rule it suspicious.

Thanks,

[REDACTED]

[REDACTED]

Office of the Armed Forces Medical Examiner  
Armed Forces Institute of Pathology

[REDACTED]

[REDACTED]

# SWORN STATEMENT

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

## PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
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 Ordnance FOB	2. DATE (YYYYMMDD) 26 Sep 04	3. TIME 0710Z	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the morning of Sept 20 04 my squads vehicle was positioned at the mouth of our check-point. On the western side facing [REDACTED] to the south west. Our Mk-19 was also oriented to the south-west covering the ridge line across from us. At the time we were ambushed my squad leader was over at another vehicle and I was manning the Mk-19. My fire-team was around my vehicle and on the right side. These soldiers were [REDACTED] and [REDACTED]. When the firefight started I was sitting in the turret facing to the southwest. About an hour prior to the engagement we sent the Bravo team from my squad up the ridge line to the front of our vehicle in order to set up an OP. I do not recall if it was prior to or after we sent out the OP that we saw the L.M. on top of the mountain who we later believed to be a spotter for the ambush. I heard a loud explosion directly to my left while in the turret and then immediate gunfire afterward I [REDACTED] did not turn the turret around to the ambush in order to keep a 360° perimeter. Instead I crouched and grabbed my M-9 and fired from the turret at the ridge to the left of Spc. Well's OP. [REDACTED] where it looked like a lot of our concentration was being placed. I shot 27 rounds and when it was over had my guys check their weapons that failed to fire/reload. We called [REDACTED] teams of of their op and I with [REDACTED] Spc. McCasley and [REDACTED] set up another op directly south of the road we were on. About 600 meters out on the ridge line of a spur. We stayed there until our convoy moved.

- Nothing Follows -

10. EXHIBIT EXHIBIT 13	1. NAME OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

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

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

STATEMENT OF [REDACTED] TAKEN AT Orgun-E DATED 29-Sept-04

9. STATEMENT (Continued)

*- Nothing Follows -*

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT Ordn-E DATED 24-Sept-04

9. STATEMENT (Continued)

*- Nothing Follows -*

[REDACTED]

**AFFIDAVIT**

I, [REDACTED], 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 IN [REDACTED]

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at FOB ORDN-E, ARHANSTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
  
(Authority To Administer Oaths)

INITIALS [REDACTED] NG STATEMENT

PAGE 3 OF 3 PAGES

**SWORN STATEMENT**

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

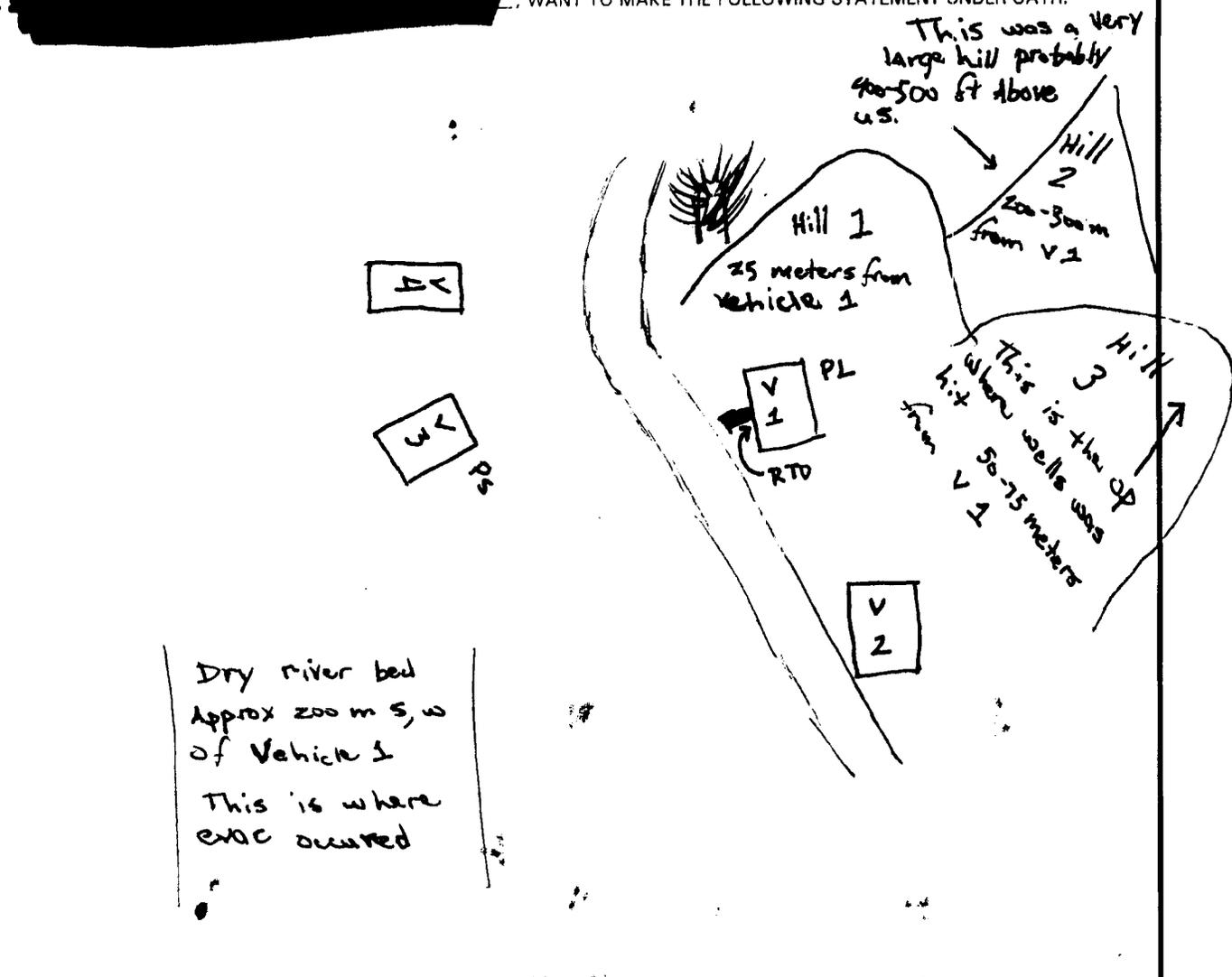
**PRIVACY ACT STATEMENT**

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
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>Ordnance firebase</i>	2. DATE (YYYYMMDD) <i>2004 09 28</i>	3. TIME <i>1215</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	

8. ORGANIZATION OR ADDRESS  
*OCF*

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:



10. EXHIBIT <i>EXHIBIT 28</i>	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <i>3</i> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

TAKEN AT

Orquie Job

DATED

28 Sep 2007

9) STATEMENT (Continued)

It was approx 0200 or 0300 when the first shots were fired. We were eating MRE's and talking. I was the RTO for the PL in V1 and I was sitting in my position in the seat behind the driver, talking and monitoring the ~~radio~~ radio when I saw something whizz past the front of our vehicle. It missed by 10-15 ft and it looked like it blew between V3 and V4. However I'm not sure if we saw an RPG or if it was an IED because we found pieces of both.

The four soldiers who were around me and myself all hit the dirt as soon as we saw the ~~RPG~~ RPG and it blew. Then I heard small arms fire. I knew at this point that I needed to be on the ~~radio~~ radio trying to get air support. So I handed my weapon to one of the soldiers who didn't have his weapon and I got on the radio. I fired no shots and my mag was still full when I got it back.

But, wells was hit on hill 3, this hill was close enough to our position that we would have seen movement if there were any to be seen. I saw none. At the angle that the RPG came past our vehicle I think it came from hill 2 which was big enough and far enough away that we may not have seen anyone there. Also during the attack when we were taking cover behind the vehicle everyone around me thought that it came from hill 2.

Then all firing stopped and they yelled for a medic  $\frac{1}{2}$  the way up hill 3, it was wells. The red element asked if we needed medical assistance, I was told to tell them no. But I saw wells when they brought him down from hill 3 and I thought he looked like he was already dead. And maybe more help for him wasn't a bad idea.

It took only about 10 min to get air support but they ~~send~~ sent nothing. And the mediac took 20 more min after that.

nothing follows

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

[REDACTED]

TAKEN AT

Osman E. Job

DATED

28 9 2004

9. STATEMENT (Continued)

*nothing follows*

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at FBI OLGOW-F, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)

[REDACTED]  
(Authority To Administer Oaths)

IN [REDACTED] PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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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 ORGUN-E, AFGHANISTAN
2. DATE (YYYYMMDD): 2004 SEPT 27
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

THE FOLLOWING ANSWERS ARE RESPONSES TO QUESTIONS POSED BY \_\_\_\_\_ XO, 2-27 IN TO \_\_\_\_\_

- Q. USING EITHER CARDINAL DIRECTION, AZIMUTH, OR CLOCK METHOD DESCRIBE YOUR SECTOR FIRE DURING THE ENGAGEMENT THAT OCCURRED ON 20 SEPT 2004.
A. THE PLATOON LEADER'S VEHICLE WAS ON THE SOUTH SIDE OF THE ROAD. I DIDN'T KNOW EXACTLY WHERE THE OP WAS BUT I KNOW THAT THE OP WAS ON A SMALL HILL NEAR THE PLATOON LEADER'S VEHICLE. I FIRED TO THE LEFT OF THE SMALL HILL. I FIRED HALF A MAGAZINE. I DID NOT FIRE ANYMORE DURING THE ENGAGEMENT.

THIS ENDS INTERVIEW

10. EXHIBIT
11. INITIAL SIGNATURE ON MAKING STATEMENT
PAGE 1 OF 1 PAGES

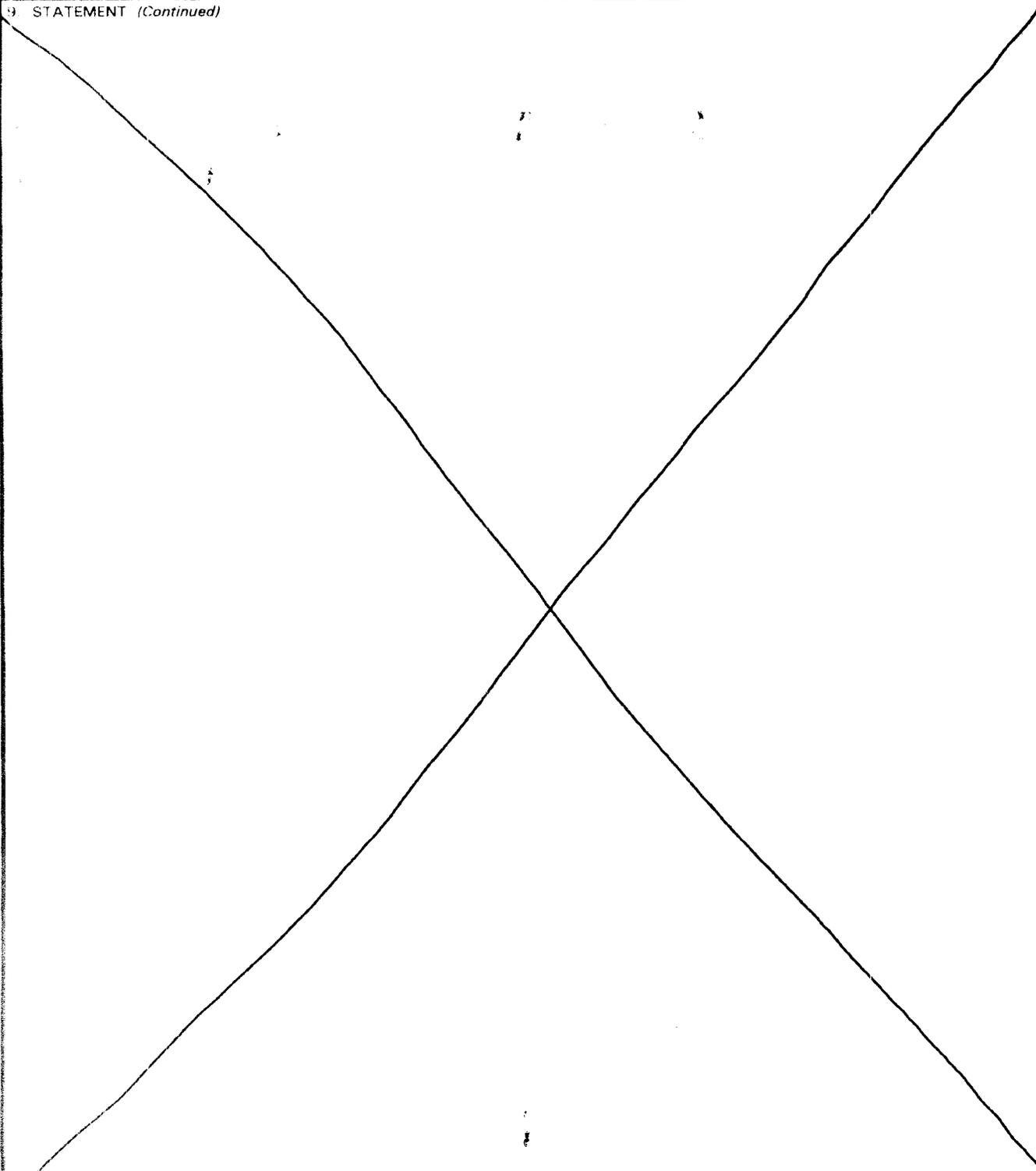
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9 STATEMENT (Continued)

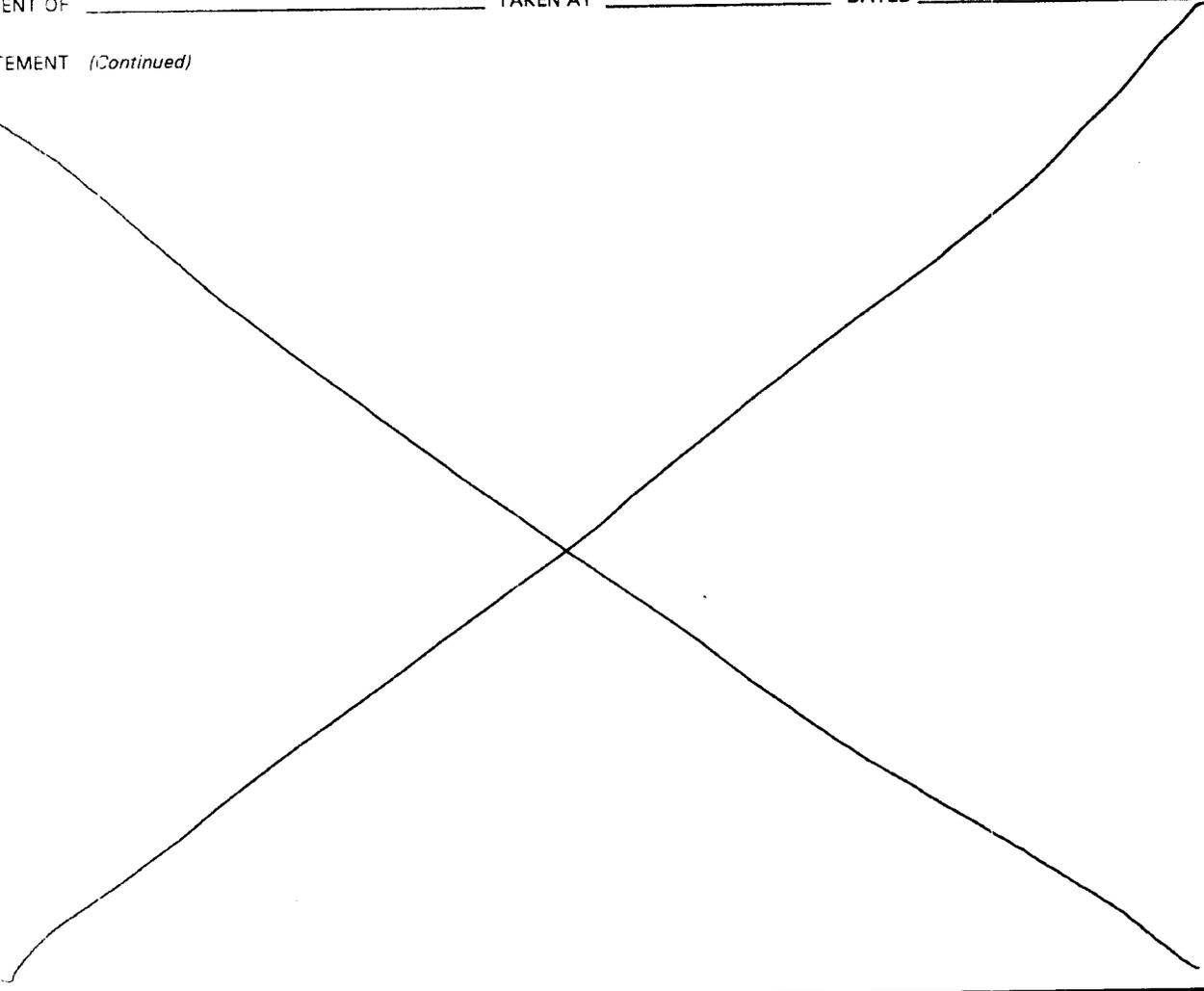


INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)



**AFFIDAVIT**

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. 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 COERCION OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INFLUENCE.

WITNESSES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 07 day of SEPT, 2004 at FOB ORCWO-E, AFGHANISTAN

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]  
(Signature of Person Administering Oath)

[REDACTED NAME]  
(Typed Name of Person Administering Oath)

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

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB ORCON-E
2. DATE (YYYYMMDD): 20040929
3. TIME: 0952Z
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:

8. OFFICIAL TITLE:

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 20 SEP 04 about 0215 The PL got the word that we were staying at the blocking position. I sent my OP to the south west hill on the other side of the road. The OP was [REDACTED] team. [REDACTED] put his OP back out also. When my OP got into position they seen a person on the hill top just a few hundred meters from their location, I also observed the same person. I tried to call [REDACTED] on the radio but he wasn't answering. So I walked to his truck from mine, witch my truck was located about 50 meters north west of the CP. When I got to [REDACTED] truck there was a big explosion, which threw me on the other side of the truck. I got behind [REDACTED] truck and asked where the firing was coming from. I looked up at the OP that [REDACTED] had put out and just beond that was where the firing was coming from. It was at east, northeast area. I also saw that the OP was getting majority of the rounds coming in.

10. EXHIBIT: EXHIBIT 29
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

STATEMENT OF [REDACTED] TAKEN AT FOB ORION-E DATED 2004 09 29

STATEMENT (Continued)

There was a lot of shooting at the enemy position and also behind the OP just to make sure that the enemy wouldn't flank around. After [REDACTED] yelled to watch out for the OP I made my way back to my truck to make sure that my guys weren't shooting at the OP. When I got back to my truck the firing was over and I seen [REDACTED] and the medic running up to the OP. I looked at the OP and seen a person lying on the hill. I didn't fire a round and I got my guys back into security while waiting further instructions from the LT and/or [REDACTED]

NOTHING FOLLOWS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

3. STATEMENT (Continued)

NOTHING FOLLOWS

AFFIDAVIT

I, [REDACTED], 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 INFLUENCE.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
ORGANIZATION OR ADDRESS

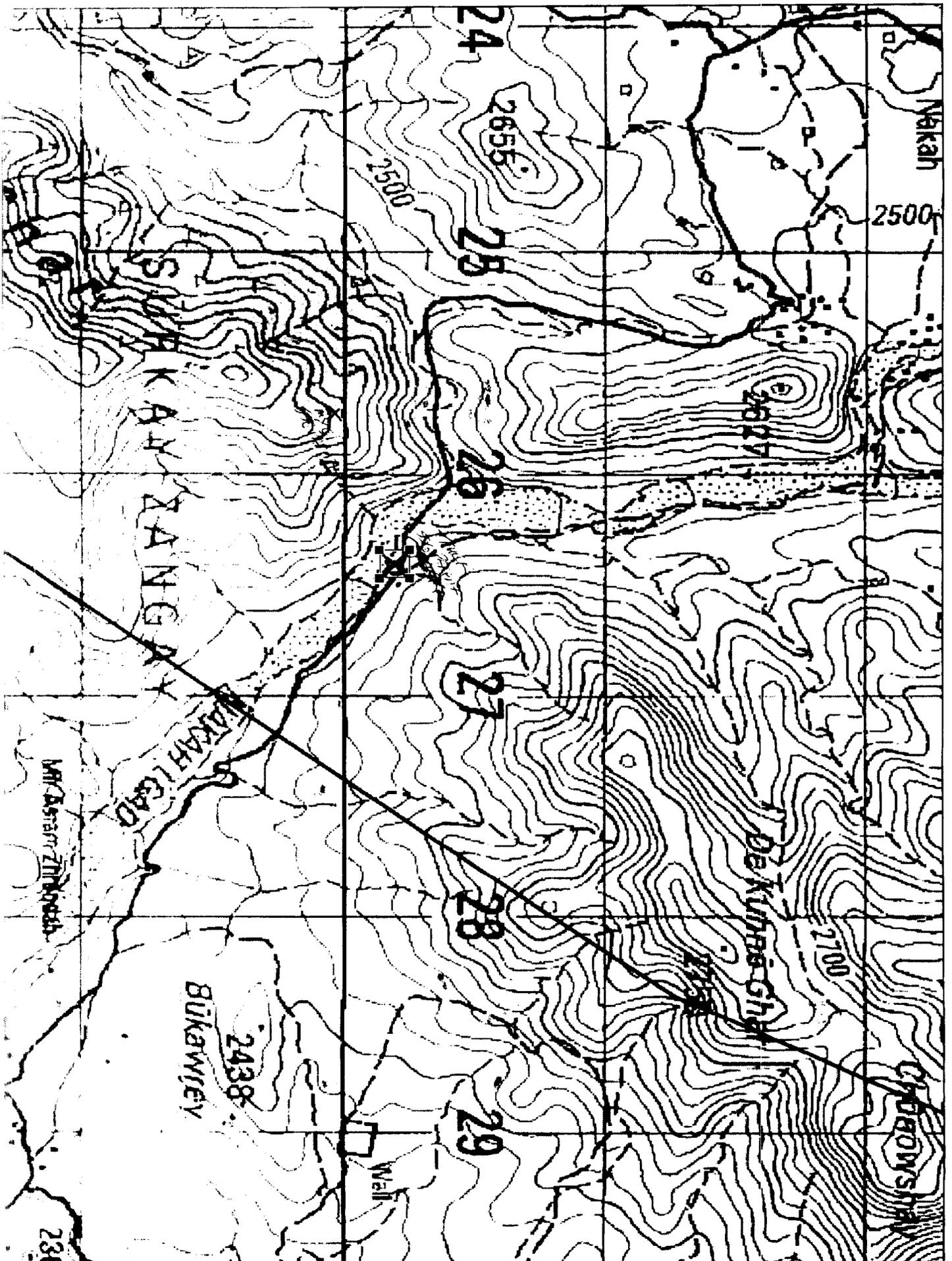
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of September, 2004 at FOB ORGON-E, AFGHANISTAN

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]



SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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Disclosure of your social security number is voluntary.

FOI3 ORGON-E
2. DATE (YYYYMMDD) 29 SEP 04
3. TIME 0952 ZOW
4. FILE NUMBER
6. SSN
7. GRADE/STATUS
WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

TERRAIN- TO START OFF I WOULD LIKE TO DESCRIBE THE TERRAIN. WE WERE IN A TCP THAT WAS SET UP ON THE EAST TO NORTHEAST SIDE OF THE RIVER BED. THERE WAS HIGH GROUND ALL AROUND US DIRECTLY TO THE EAST OF THE CP WE HAD AN OP. THE OP WAS ROUGHLY 75 TO 100 METERS UP THE HILL.

LAYOUT- I WILL USE A DIAGRAM TO ILLUSTRATE OUR LAYOUT. THIS WILL BE A ROUGH SKETCH DRAWN AS BEST AS I REMEMBER. I WAS ON THE PSG'S VEHICLE. I DON'T REMEMBER THE DISTANCES BETWEEN THE VEHICLES.

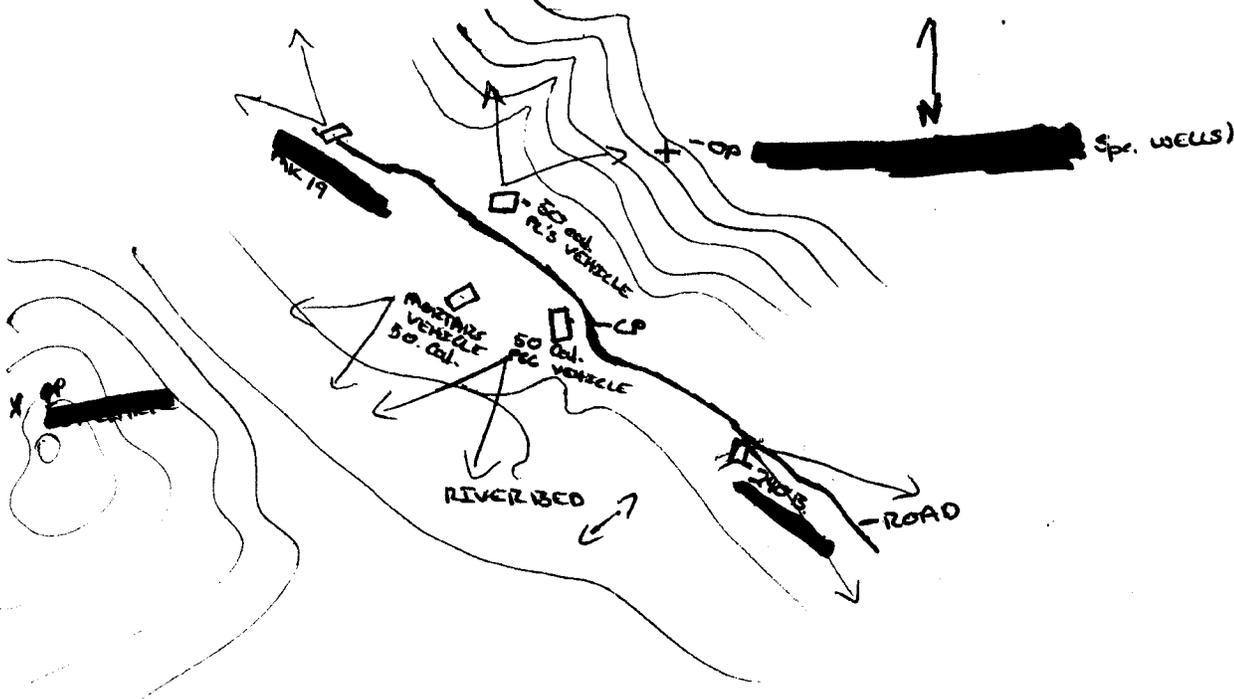


EXHIBIT 30

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

NT OF [REDACTED] TAKEN AT FOI3 O-E DATED 29 SEP 04

EVENTS- SOMETIME BETWEEN ABOUT 0200Z AND 0245Z THERE WAS AN EXPLOSION ABOUT 10-15 FT FROM MY TRUCK. AT THE TIME I WAS SITTING ON TOP OF THE GNV HELPING [REDACTED] PULL SECURITY. I SUDDENLY FELT A WUSH OF AIR AND THEN HEARD ONE EXPLOSION. I THEN TURNED AROUND TO LOOK OVER MY RIGHT SHOULDER (I WAS FACING WEST TO SOUTHWEST PULLING SECURITY AND THE EXPLOSION WAS TO MY NORTH) AND SAW A CLOUD OF DARK SMOKE AND WAS PELTED WITH SAND AND ROCKS. THEN I SLID DOWN THE HOLE OF THE TURRET AND SCRAMBLED TO GRAB MY K-POT (IT WAS ON THE COMMO TRAY). NEXT I HOPPED OUT OF THE VEHICLE ON THE LEFT SIDE (WEST). MY EARS HAD BEEN RINGING AND AT THIS TIME I NOTICED THE SMALL ARMS FIRE. I COULDN'T SEE ANY ROUNDS IMPACTING AROUND MY VEHICLE BUT I COULD HEAR THE SMALL ARMS FIRE. I DUCKED DOWN BEHIND THE DRIVER'S SEAT AND LOOKED THROUGH THE GNV UP TOWARDS THE HILL WITH THE OP. I RAISED MY WEAPON UP SO I COULD LOOK THROUGH MY G8 (NATURAL HABIT). THE FIRST THING I SAW WAS SOMEONE IN BOV'S LOWCRAWLING. I REALIZED THAT I HAD NO CLEAR SHOT BECAUSE OF THE GUYS ON THE OP SO I TURNED BACK AROUND TO THE WEST. AT THIS POINT I HELPED [REDACTED] SCAN HIS SECTOR TO MAKE SURE THEY DIDN'T HIT US FROM THE REAR. A COUPLE OF MOMENTS LATER ALL OF THE SHOOTING HAD STOPPED AND SOMEONE ON TOP OF THE OP CALLED FOR A MEDIC. AT THAT TIME 1SG AND DOC [REDACTED] HEADED UP THE HILL. A COUPLE OF MINUTES LATER WORD CAME DOWN TO THE PSG THAT SGT WELLS WAS KIA. I WAS TOLD TO PREP THE LITTER AND HELP DOC PREPARE THE BODY FOR MOVEMENT. AT ABOUT 0320Z THE MEDEVAC BERO ARRIVED. THE ABOVE IS ALL THAT I WITNESSED ON 28 SEP 04.

NOTHING  
FOLLOWS

[REDACTED] MAKING STATEMENT

PAGE 2 OF 3 PAGES

(Continued)

NOTHING  
FOLLOWS

[REDACTED]

**AFFIDAVIT**

[REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  
ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE  
STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  
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PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 29<sup>th</sup> day of September, 2004  
at FOB OREGON-E, AFGHANISTAN

[REDACTED]  
ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
LOCATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)

[REDACTED]  
(Authority To Administer Oaths)

[REDACTED] PERSON MAKING STATEMENT

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

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

1. LOCATION FOB Orgun-e	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: In your statement, you said "the first thing I saw was someone in BDUs low-crawling." Describe in more detail what you saw.

A: Once I grabbed my kevlar, I raised my weapon and started scanning the ridgeline. I saw someone in BDUs low-crawling along the crest of the spur. I identified them as friendly, and since I did not have a clear shot, I turned to the west to assist [REDACTED] in pulling security.

Q: Was the person physically in control of his movement down the spur?

A: Yes. He was definitely low-crawling. I could not tell if he was wounded or not, but he was pulling himself along the ground down from the OP position.

Q: Did you ever see the person stand up?

A: No.

Q: Do you have anything else you would like to add?

A: No.

*NOTHING FOLLOWS*

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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

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

STATEMENT OF  TAKEN AT FOB O-E DATED 13 OCT 2004

9. STATEMENT (Continued)

NOTHING FOLLOWS



INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

9. STATEMENT (Continued)

NOTHING  
FOLLOWS

[REDACTED]

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of SEPT, 2004

[REDACTED] FOIS ORGUNE  
[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
[REDACTED]  
(Typed Name of Person Administering Oath)

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

**SWORN STATEMENT**

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

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**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 Orgun-e	2. DATE (YYYYMMDD) 2004 10 13	3. TIME 1140	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	

8. ORGANIZATION OR ADDRESS

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Approximately how far from the OP position did you find SPC Wells?

A: Hard to tell; I did not see the actual OP position. Will review photos of the OP position to determine location.

Q: Do you know how SPC Wells became separated from [REDACTED] or [REDACTED]?

A: Did not exactly see it; have said that he either ran or crawled during the engagement.

Q: Was there any intervening terrain or vegetation that obscured your view of the OP position?

A: I could see the hilltop where the enemy were located. As soon as I took a knee though I could only see the crest of the spur but could not see the top of the hill where the OP was located.

Q: Can you describe the location of the enemy in relation to the OP?

A: Never had direct eyes on the enemy. Believe the majority of the enemy fire was coming from a hilltop that was east/southeast from the OP almost in a direct line between the platoon leader's vehicle, the OP, and the enemy.

Q: Do you have any additional comments to add?

A: Yes. Following the engagement I examined his IBA. It appeared that a round struck the edge of the IBA near the right collarbone. Also appeared that the exit wound was on his lower left side. After the engagement started, when I first observed SPC Wells he was in the prone position moving on his stomach down the hill. Unable to tell if he was sliding down the hill or moving under his own power. Also appeared that his kevlar had been grazed by a round along the top left of the kevlar and by a round along the lower right, backside horizontal across the kevlar.

*Nothing follows*

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>3</u> PAGES
-------------	---	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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

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

STATEMENT OF  TAKEN AT OE DATED 13 Oct 04

STATEMENT (Continued)

Nothing follows



INITIALS OF PERSON MAKING STATEMENT



PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT OE DATED 13 Oct 04

9. STATEMENT (Continued)

Nothing follows

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13<sup>th</sup> day of October, 2004 at FOB ORDN-E, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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: OE
2. DATE (YYYYMMDD): 0040927
3. TIME: 1613Z
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:

8. ORGANIZATION OR ADDRESS:

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 20 Sep 04 3rd plt ACO 2-27 INF was conducting a TCP in the vic of WB 264702. To the east of the TCP was high ground. The PL's GMV was sitting at the base of the hill, just off of the road. The high ground was a ridge line that went to the North East. To the west was a waddie approx 10m off of the road, 300m west of the road was more a ridgeline that ran north to south. The road we were on ran north to the south. On the east side of the road was the high ground north of my GMV approx 50m. 2nd Squad was south on the road approx 75m from my position. The PL's GMV was north east of my position, just on the other side of the road approx 10m. The 81mm GMV was north west of my position approx 15m. 2nd Squad had the MK-19 on there GMV. 3rd Squad had there M240B on there GMV. The PL and my self had the M-2 on our GMVs, we had an OP on the high ground east of the TCP. I got word from the PL to be ready to move at 0100Z. I passed the info to my Squad Leaders, 3rd SL pulled his OP down and Team Loaded there Assault packs. On the GMV. We got word from OCF that we would be there for awhile so sent [redacted] & SPC wells to the OP. It was approx 30min after pulled off of the OP. AT approx 0230Z 5 CEU Vehicles drove north to south through the TCP. Approx 2-3 min after they passed an IED went off about 10 feet from my GMV. About the same time an RPG flew over the TCP. After the IED & RPG I heard a lot of AK's being fired. It sounded to me that they were coming from the high ground that I could see just east of the OP. The OP was in my line of site, I took a knee next to my GMV and ask my Gunner if he could had eyes on. He told me no because he was facing the high ground to the west. I told to duck down and keep eyes on the high ground to the west and to fire if he saw enemy up there. At the same time my Driver jumped off the truck and pulled security the same direction as the 50cal because he did not have a clear line of fire. ran to the back on passenger side of the GMV.

10. EXHIBIT: EXHIBIT 32
11. INITIALS OF PERSON MAKING STATEMENT:
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

STATEMENT OF [REDACTED] TAKEN AT OF DATED 27 Sep 04

3. STATEMENT (Continued)

I was on a knee by the TC seat. I grabbed the hand mike to my ASI P and tried to call the OP for an enemy situation. After 3-4 trys I got no awnser and I look ~~to~~ toward were I thought the enemy was so I could return fire. with the close proximity of the PL'S GMV and the OP between were I thought the enemy was I decided it would not be a good idea to shoot back. I saw a hispanic male shooting his m4 ~~to~~ by the PL'S GMV toward the hill ~~to~~ a little south of the OP. I yelled "watch out for the op!" "Don't shoot the OP!!" The hispanic shooting the m4 ceased fire. Around the same time AFC fired approx 50 rounds from the M2 towards the spur North of the op. After I saw the .50 Cal rounds impact I looked towards the OP hill, and saw on of the guy from the OP ~~to~~ sliding down the hill head first on his stomach. my first impression was he was trying to get of the hill for some cover. I don't remember how far he went before he just went limp and slid a few feet. I knew that he had been hit by the way he was laying there. I yelled at my medic ~~to~~ to grab his bag and we ran up the hill to the causality. 1SG Bradley ran up the hill. He arrived at the causality a few seconds after me and ~~to~~ The causality whe I saw him moving was sliding south west. I recognized the causality to be SPC wells. ~~to~~ He had a gun shot wound to his right hand. there was not much blood just a mangled mess. Doc & I rolled him over and I saw the bullet wound to his right collar bone. when Doc & I got his head up hill he gave his last breath. While he was face down I checked for a pulse on his neck and did not feel one. Doc & I started to administer first aid. Not long after we got SPC wells IBA of The Aid & litter team showed up and I ran back down the hill to the PL'S GMV to call in the a line to Snoopy 02. Around the time I got done & started to reposition the rest of the PLT left at the TCP Doc brought SPC well to the TCP located at my GMV. while I was on the radio talking to the PL ~~to~~ and ~~to~~ coordinating with Renage through the OCF RTO ~~to~~ Doc got SPC wells ready for transport. ~~to~~ was keeping track of the time till medavac was wheels down. I repositioned the GMV's and got the HLZ preped. while on the radio I heard a report that CEV got hit 1 klick south on the same road. As the Aid and litter team was bringing SPC wells to the HLZ Task Force Red Drive down the road North to South and helped transport SPC wells to the HLZ.

Nothing follows.  
"Diagram Back Page"

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT OE DATED 27 Sep 04

9. STATEMENT (Continued)

Nothing follows

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of September, 2004 at FOB ORGUN-E, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

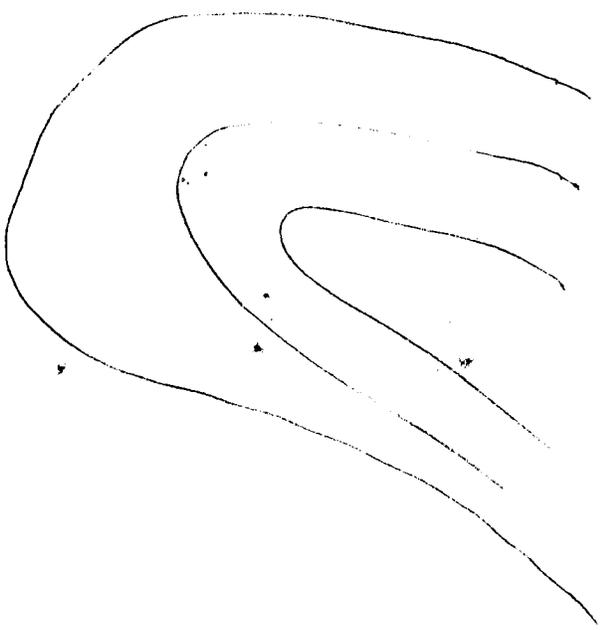
[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

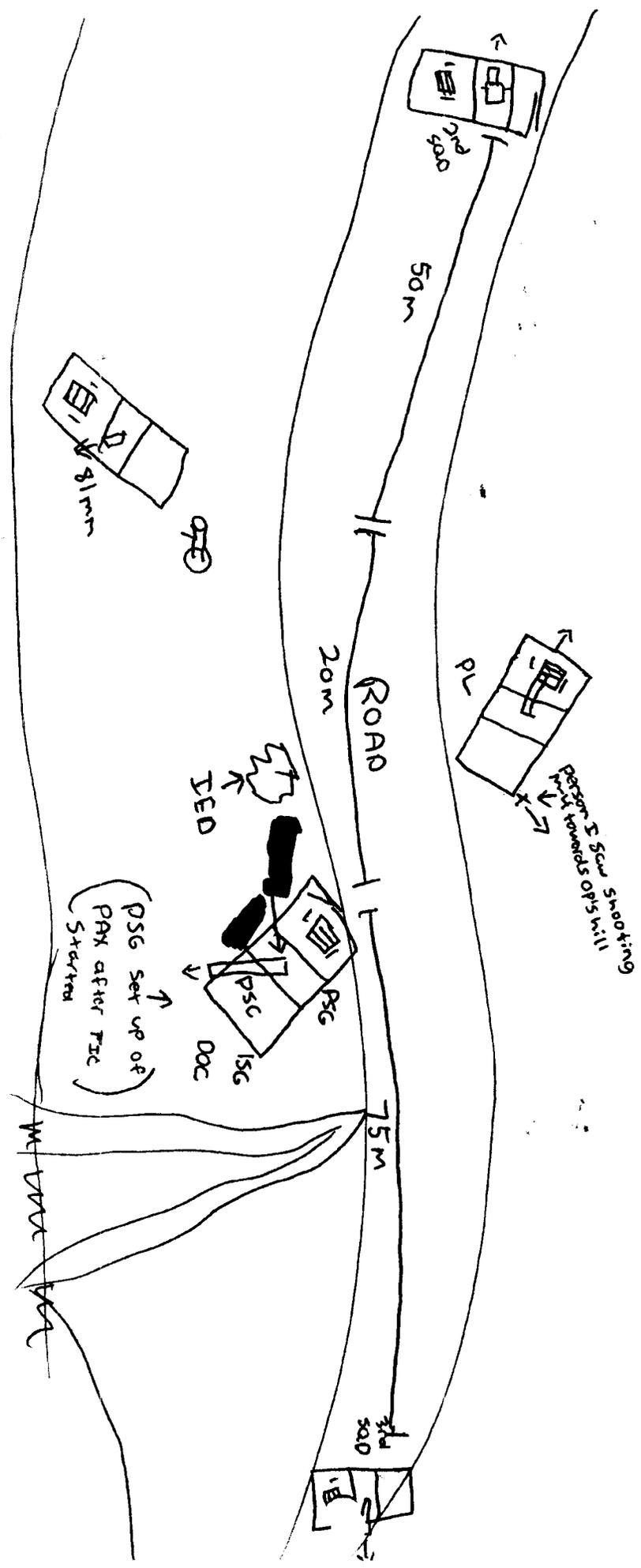
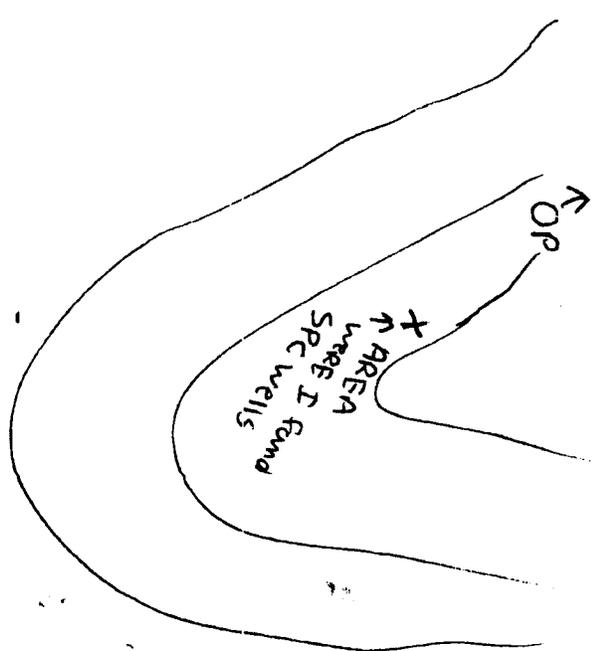
[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

PAGE 3 OF 3 PAGES



Set up of the TCP  
Prior to the TIC



WADDIE

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 OE
2. DATE (YYYYMMDD): 2004 09 28
3. TIME: 1515
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON SEPT 20TH 2004 AROUND 0000 HRS WAS FIRST CALL AT OUR VCP SITE EVERYONE WAS PACKING UP WAITING FOR THE SUN TO COME UP TO WARM US UP. THE OP TO OUR FRONT WAS COMING DOWN TO LOAD UP BY 0100 TO GET READY TO ROLL OUT. WELL THEY WASN'T SUPPOSED TO COME DOWN ALL THE WAY BUT SINCE THEY DID THEY ROTATED PEOPLE OUT TO SEND BACK UP WHICH LEFT A 10-15 MIN WINDOW FOR ACM TO MOVE IN MAYBE, I WAS SITTING BEHIND THE TRUCK WHICH WAS THE NONFIRE SIDE AND LOOK AROUND TRYING TO FIND A SAFE ROUTE TO WEAR MY GUN WAS SET UP AFTER REALIZING MY GUN WAS IN THE KILL ZONE I LOOKED UP AND SAW WERE SPL WELLS WAS GOING UP OR COMING DOWN FROM THE OP WAS JUST GETTING LIT UP BY SMALL ARMS EVERYONE WAS SHOOTING IN THE DIRECTION WE WERE TAKEN FIRE FROM AND ONCE THE SO CAL STARTED ROCKIN AND ALL SEEMED TO STOP, SOMEONE YELLED SOMEONE HIT AND DOX BEV AND SOMEONES WENT UP TO PERFORM AID AND BRING HIM DOWN. IT TOOK ABOUT 1-2 MIN FOR THEM TO GET THERE. WHEN THEY BROUGHT WELLS DOWN I NOTICED HE HAD 3 GUN SHOT WOUNDS ALONG THE RIGHT SIDE AND I REMEMBER CHECKING HIS PULSE AND NOT FEELING ANYTHING. AFTER WE LOADED HIM ON THE STRETCHER AND WRAPPED HIM THE BROUGHT THE BODY DOWN FOR THE BIRDS TO MEET HIM. THATS ALL I REMEMBER.

10. EXHIBIT: EXHIBIT 33
11. INITIAL: [REDACTED] ON MAKING STATEMENT
PAGE 1 OF 3 PAGES

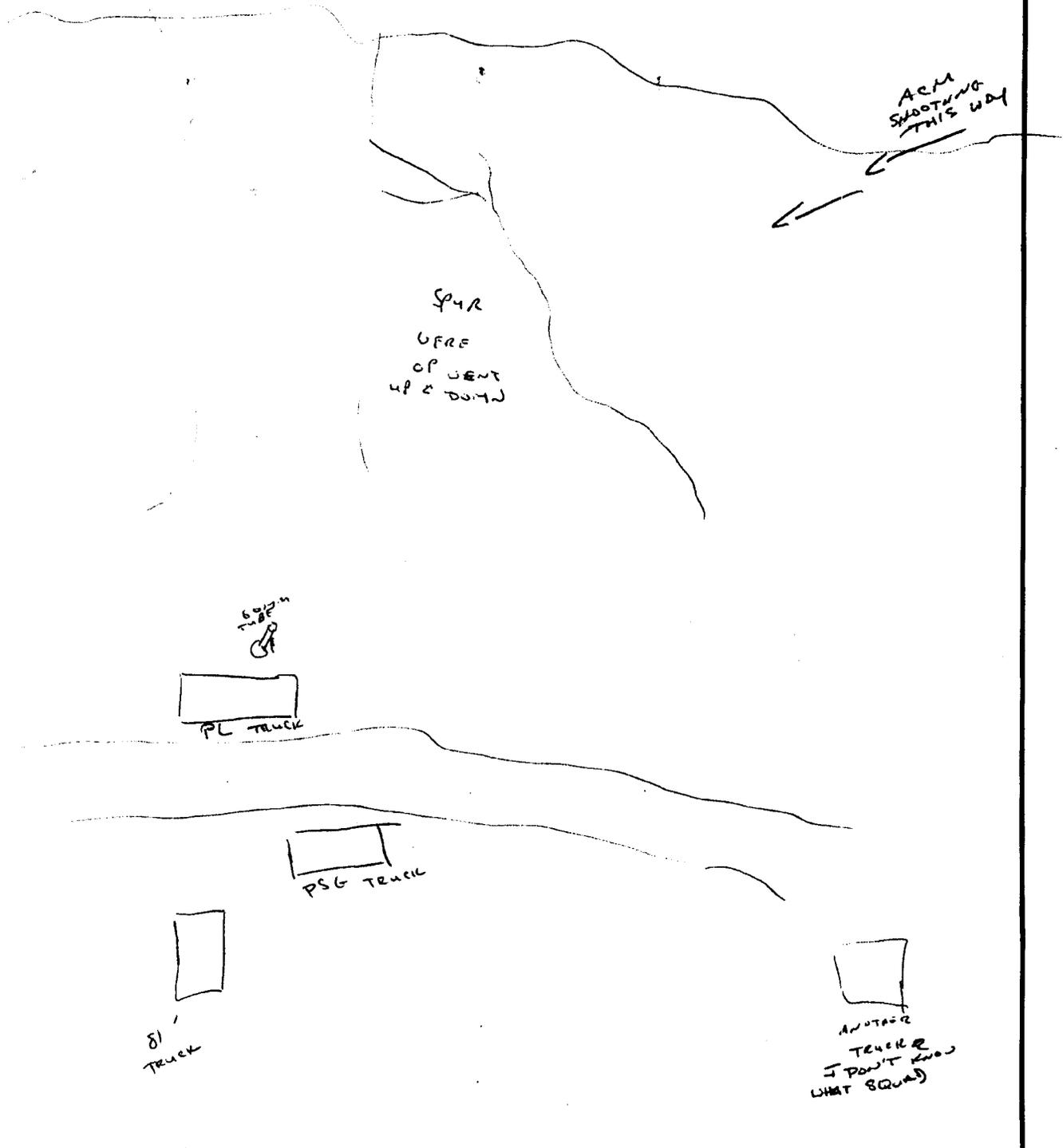
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED"

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

STATEMENT OF [REDACTED] TAKEN AT FOB OF DATED 2004 SEPT 28

3. STATEMENT (Continued)



INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT FOB OE DATED 2004 SEPT 28

STATEMENT (Continued)

NOTHING FOLLOWS

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at FOB ORGANA-E, AFGHANISTAN

[REDACTED]

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS  
[REDACTED]

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

PAGE 3 OF 3 PAGES

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**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 POB Orgun-e	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/PT [REDACTED]	
8. ORGANIZATION OR ADDRESS			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: When you saw SPC Wells during the engagement, was he standing or in the prone?

A: He was standing and then began to crawl. [REDACTED]

Q: Could you see the OP from your position?

A: No. [REDACTED]

Q: Describe SPC Wells actions once you observed him moving down the hill.

A: When I first saw him he was standing, then he dropped. He then began to move on his stomach. He continued to move down the hill; I couldn't tell if he was low crawling or if he was under control while he moved down the hill. I could tell that where he was at was taking a lot of fire; it appeared to come from the east. [REDACTED]

Q: Could you tell how far he moved down the hill once he dropped?

A: A couple of meters maybe [REDACTED]

Q: Did you observe his body go limp?

A: Not until they brought him down. [REDACTED]

Q: Is there anything else you would like to add?

A: No. [REDACTED]

*NOTHING FOLLOWS*

10. EXHIBIT	[REDACTED] OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
-------------	---------------------------------------	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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

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

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

9. STATEMENT (Continued)

*Nothing Follow*

**AFFIDAVIT**

I, \_\_\_\_\_, 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.

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of SEPT, 2004 at FOB ORSUNG, AFGHANISTAN

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

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

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

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

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 Orgun-E
2. DATE (YYYYMMDD): 2004 09 28
3. TIME: 1520
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

9.

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

just prior to the attack on September 20, 2004 I had taken up security on top of the PS67's truck, behind the .50 cal. We were situated on the west side of the road where the TCP was emplaced. [redacted] was also atop the vehicle when the attack was initiated. Around the vehicle was [redacted], and [redacted]. The 81 mm mortar vehicle was on the same side of the road as my vehicle, approximately 25-30 meters Northwest. Blocking the southwest end of the road was [redacted] vehicle, 2nd squad, with the MK-19 mounted atop the GMMV. The other end of the TCP was blocked by [redacted] GMMV, 3rd squad. [redacted] vehicle, with .50 cal machine gun mounted, was on the opposite side of the road from my vehicle.

To the west of the TCP was a wadi that ran adjacent to the road, with a ridge on the opposite side of the wadi. My sector of fire with the .50 cal mounted on the PS67 vehicle was west across the wadi, covering the ridge line. Situated on the slope to my rear, east, was

10. EXHIBIT: EXHIBIT 34
11. INITIALS OF [redacted] MAKING STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

STATEMENT OF

TAKEN AT

Ormyr-E

DATED

26 Sep 04

## 9. STATEMENT (Continued)

the OP with [REDACTED], SPC Wells, and [REDACTED].

The attack was initiated with both an IED and an RPG. One of the explosions occurred behind me, close enough to the truck that I was hit with dirt from it. I was also slightly deafened by the blast. It took me a few moments ~~that~~ to realize that there was small arms being fired and even longer to realize in which direction this was occurring. The source of the fire was from behind me, in the direction of the OP. Between my vehicle and the source of the enemy fire lay the OP. The vehicle was partially masked from the enemy by the hill, however, the turret provided just enough height to see the hillside.

I did not ascertain the precise location of the enemy fire, other than further up the hill from the OP, or where the individuals on the OP were exactly because I only took a brief glance rearward; then I resumed pulling my sector to the west away from the contact.

During the contact, [REDACTED] immediately dismounted the top of the GMV. From the ground he was not

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

capable of returning fire and he pulled security to the west. [REDACTED] was by the vehicle, [REDACTED] moved SE to the rear-right of the vehicle to where he could return fire. I lost track of [REDACTED] when contact was initiated.

Nothing Follows

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at FBI DRCU-E, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED] (Typed Name of Person Administering Oath)  
[REDACTED] (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
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**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>ORGUN-E FOB</b>	2. DATE (YYYYMMDD) <b>20041012</b>	3. TIME <b>0621</b>	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 20 September 04 I was sitting behind my vehicle eating morning chow with [REDACTED]. We heard an explosion than gunfire. He dove to the ground and I ran to the side of the vehicle away from the road. Seconds later [REDACTED] came and said I have to get my weapon B. I said wait until we get cover five then I reached for my weapon. It was sitting in my seat across to the road. As I was reaching for it I looked to see where the fire was coming from and I ~~is~~ seen something low crawling. I focused and then seen it was one of our guys. He was low crawling down and across the spur heading towards the UCP. Then I seen tracer rounds being fired up towards his position. Then I looked left to see who it was but all I could see was a saw gunner firing nobody else from that position. [REDACTED] yelled out "watch out for the OP up there. then somebody yelled it again. Once the fire stopped I seen a body lying face first pointing straight down the spur. I ran around the vehicle and grabbed my bag and ran up the spur. [REDACTED] and [REDACTED] were already walking up the spur. [REDACTED] notice a man down and yelled for

10. EXHIBIT <b>EXHIBIT 35</b>	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <b>23</b> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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

STATEMENT OF

[REDACTED]

TAKEN AT

ORGUN-E

DATED

12 Oct 04

9. STATEMENT (Continued)

Me. I was already in route. I got there and seen it was SPC Wells. He was KIA when I got to him so I bandage up his wounds and myself and [REDACTED] prepared him for transport down the spur. — nothing else follows [REDACTED]

Nothing else Follows

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF

[REDACTED]

TAKEN AT

ORGAN-E

DATED

12 OCT 04

3. STATEMENT (Continued)

Nothing Follows

[REDACTED]

AFFIDAVIT

I, [REDACTED], 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 INDUCEMENT.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12<sup>th</sup> day of October, 2004 at FOR ORGAN-E, AFGHANISTAN

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING

[REDACTED]

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 ORGUN-E
2. DATE (YYYYMMDD): 0004 sept 27
3. TIME: 1728 Z
4. FILE NUMBER:
6. SSN:
7. GRADE/STATUS:

8. OFFICIAL TITLE AND ORGANIZATION:

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON Sept. 20 04 at 0130 Z I took Alpha team 3rd Sqad up to reoccupy the op to the northeast of the TCP. At about 0230 Z the TCP and the op was attacked by RPG and small arms fire. On the op I had myself [redacted] & SPC wells. When the RPG was fired over our position I gave the command to get down and take cover. When I found the source of the attack I told my team to return fire. I was the first to fire with my M-14. [redacted] M-249 malfunctioned and could not fire. I could not see SPC wells and did not hear him fire. I was later told by [redacted] that SPC well had been hit. We was attacked from the east and that was the direction of my fire. [redacted] and SPC wells was on line with me when it started. The rest of the TCP was to our west and North west on a road way in the low ground. The enemy was on a ridge line that was higher than my OP. They had to fire over our position in order to fire on the CCP location. The terrain was not the best to set up a TCP there was high ground on both sides. The enemy used the hills and sizzly sun to mask there move ment on to our position.

nothing follows Diagram on next page

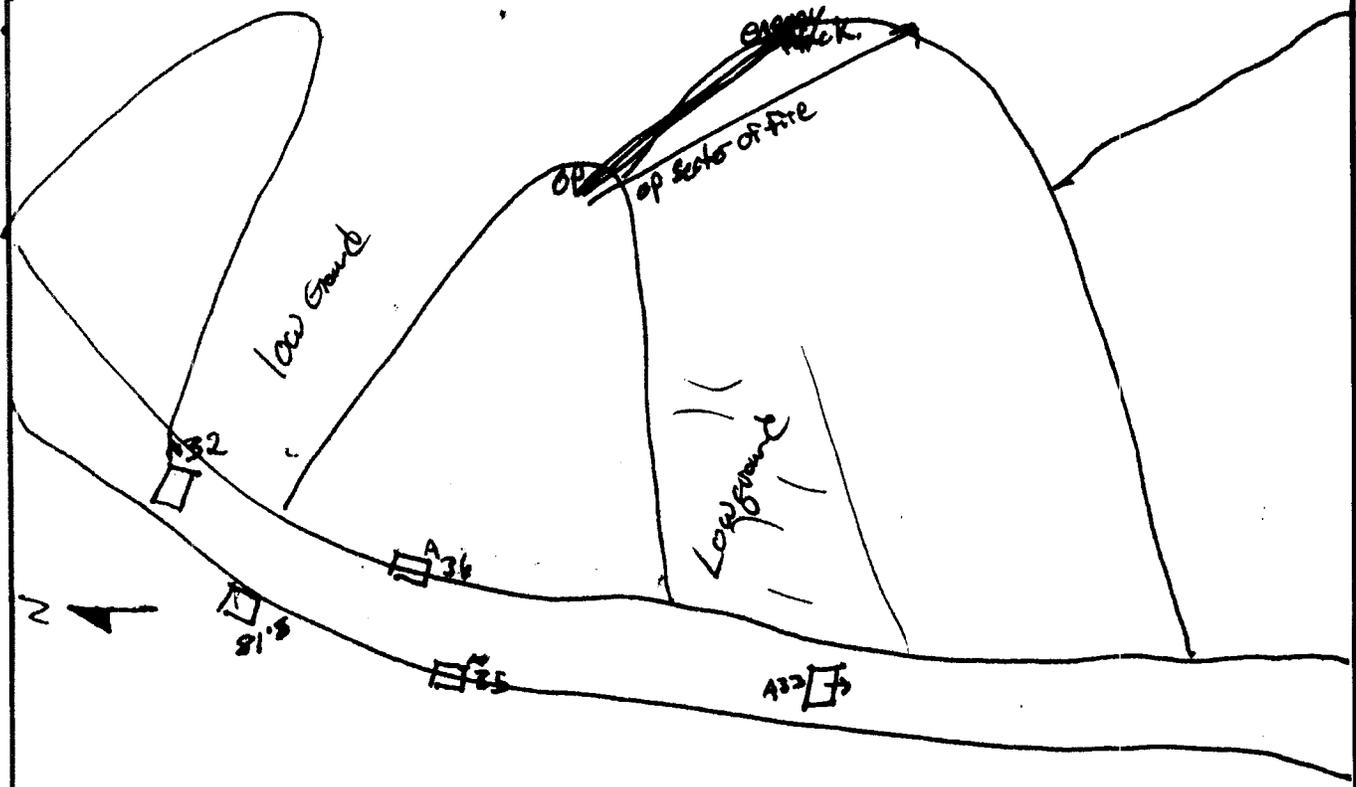
10. EXHIBIT: EXHIBIT 36
11. INITIALS: [redacted] MAKING STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

STATEMENT OF [REDACTED] TAKEN AT ORIGIN - E DATED 2004 sep. 27

9. STATEMENT (Continued)



INITIALS OF PERFORMER [REDACTED] STATEMENT

9. STATEMENT (Continued)

*Nothing follows*

[REDACTED]

**AFFIDAVIT**

I, [REDACTED], 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 PUNISHMENT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27<sup>th</sup> day of September, 2004 at FBI OFFICE, PESHAWAR

[REDACTED]

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS [REDACTED] ING STATEMENT

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**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 Orgun-E	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: From your position could you observe the platoons vehicles or other personnel in the platoon?  
 A: I could see all the vehicles except for the platoon leader's vehicle. The crest of the spur blocked our view of his vehicle.

Q: Within the OP, where were you oriented or observing? Do you know where SPC Wells was observing?  
 A: We were staggered approximately 10 meters apart on a flattened section of the northeast running spur. [REDACTED] was oriented northeast, I was oriented due east, SPC Wells was oriented southeast into the low ground and down the road. When enemy initiated they were approximately 100 meters from our position.

Q: Did you observe SPC Wells move from the position after the engagement started?  
 A: No. I heard [REDACTED] say his SAW was down and I immediately picked up my rate of fire. I never heard SPC Wells say anything or fire a round.

Q: How far was SPC Wells from th OP when he was found after the engagement?  
 A: Approximatley 40 meters.

Q: Did he have his weapon with him?  
 A: No, his weapon was still at his previous position within the OP.

Q: During the engagement, did you feel like your position was taking fire from the friendly positions to your west?  
 A: No.

Q: Is there anything else you would like to add?  
 A: No.

*[Handwritten Signature]*

10. EXHIBIT	11. [REDACTED] PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
-------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

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

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT *(Continued)*

*(This area is crossed out with a large X, indicating that the statement content is not applicable or has been omitted.)*

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

3. STATEMENT (Continued)

[Large area of the page is crossed out with a large 'X' and contains a blacked-out rectangular redaction.]

AFFIDAVIT

I, [Redacted], 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.

[Redacted] (Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of SEPT, 2004 at FOB ORGW-E, AEGHANISTAN

[Redacted] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[Redacted] (Authority To Administer Oaths)

[Redacted] (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB OREGUNE
2. DATE (YYYYMMDD): 20040927
3. TIME: 1726Z
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The terrain we were occupying at the time sucked. Where our OP was, it was on a little hill followed by a bigger (but not by much) hill, which curved to the right down the road. I myself did not see much of other friendly positions due to the fact that I was pushed further than anyone else on our OP. When contact was made I was not able to fire my M-249, it kept jamming on me. Sometime late into the firefight I was able to correct the malfunction and get one shot off. One round, not a burst. After said firefight was over I was given the order to go find SPC Wells, we couldn't see him anywhere. I made it a little ways down the hill and then found SPC Wells who was lying face first on the slope. I yelled for the medic and began buddy aid. I wasn't able to do much because the medic + 1st sergeant showed up within about a minute of my discovery. After that I was then ordered to move up and pull security while they administered aid to Spe. Wells. Our contact was made from the East. I was My sector of fire was to the NE.

nothing follows

10. EXHIBIT: EXHIBIT 37
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

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

STATEMENT OF [REDACTED] TAKEN AT OREGON 6 DATED 27 Sept 2004

9. STATEMENT (Continued)

*nothing follows*

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF

[REDACTED]

TAKEN AT

OREGUN E

DATED

27 Sept 2004

9. STATEMENT (Continued)

nothing follows

[REDACTED]

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27<sup>th</sup> day of September, 2004 at FOB ORGUN-E, AFGHANISTAN

[REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]

(Signature of Person Administering Oath)

[REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]

(Typed Name of Person Administering Oath)

[REDACTED]

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

**SWORN STATEMENT**

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**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 FOB Oregon-e	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	

8. ORGANIZATION OR ADDRESS

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: From your position could you observe the platoon vehicles or other personnel in the platoon?  
A: Not really, sir. My sectors were up the wadi to the northeast of our position [REDACTED]

Q: Within the OP, where were you oriented to observing? Do you know where SPC Wells was observing?  
A: Well's was furthest from me: I believe that he was looking down the road [REDACTED]

Q: How far apart were you from each other in the OP?  
A: About 5-10 meters. [REDACTED]

Q: Did you observe SPC Wells move from the position after the engagement started?  
A: No, sir. The only thing I could see once the engagement started was the hill to my front and muzzle flashes. The I became focused in getting my weapon up [REDACTED]

Q: Before the engagement started, are you sure that SPC Wells was still at the OP position?  
A: Yes. [REDACTED]

Q: After the engagement started, did you hear SPC Wells or hear him firing  
A: I didn't hear anything. My ears started ringing as soon as [REDACTED] started firing his M-14. [REDACTED]

Q: How far was SPC Wells from the OP when he was found after the engagement?  
A: Approximately 10 meters. [REDACTED]

Q: Did he have his weapon with him?  
A: I can not remember, sir. [REDACTED]

Q: During the engagement, did you feel like your position was taking fire from the friendly positions to your west?  
A: As far as I can tell, we were not taking fire from positions to our west I could see rounds impacting to our front which were the enemy position that were to our east. [REDACTED]

Q: Is there anything else you would like to add?  
A: No, that's about it. [REDACTED]

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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STATEMENT OF [REDACTED] TAKEN AT W. REGUNE DATED 13 OCT 2004

9 STATEMENT (Continued)

*Nothing Follows*  
[REDACTED]

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

STATEMENT OF [REDACTED] TAKEN AT OREGON DATED 13 SEPT 2004

9. STATEMENT (Continued)

[REDACTED]

[REDACTED]

Nothing Follows

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of SEPT, 2004 at FOB ORG/DU-E, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

# SWORN STATEMENT

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

## PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
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DISCLOSURE: Disclosure of your social security number is voluntary.

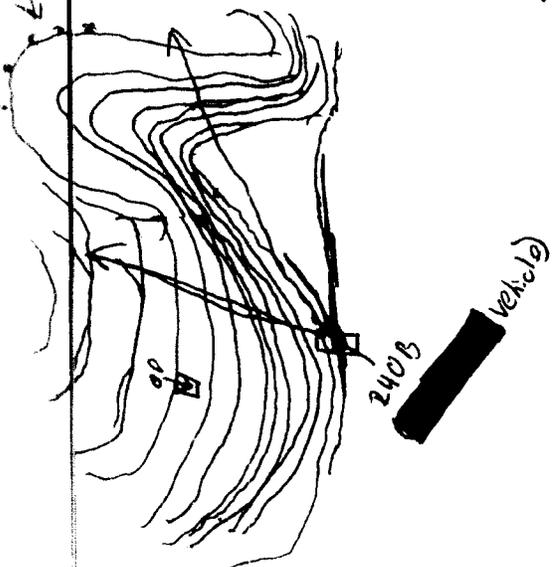
1. LOCATION Fob OrGUN-E	2. DATE (YYYYMMDD) 2004 09 29	3. TIME 0950	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	

8. ORGANIZATION OR ADDRESS  
[REDACTED]

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

during the morning of <sup>Sept 19</sup> 2004 I was attached to SPC Wells as his 240 AG for that mission myself and [REDACTED] team went up to put up an OP we stayed there through the rest of the night then at around 1230z we broke down and moved down to the truck where I Relived Wells to eat Then intel came that we weren't moving till later and [REDACTED] sent [REDACTED] team up to the OP they were there about 10-15 min when I heard the RPG blast imidiattly following with heavy small arms fire I tried to Return fire but the 240 was Down I got off 3 Rounds and stayed up in the turret trying to get the "Gun up" Through out the duration of the ambush.

← Ambush Line



Nothing follows

10. EXHIBIT EXHIBIT 38	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 13 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

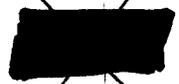
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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF  TAKEN AT O-E fob DATED Sept 29 2004

9. STATEMENT (Continued)

Nothing follows



INITIALS OF PERSON MAKING STATEMENT



PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT O-F Fob DATED Sept 29 2004

9. STATEMENT (Continued)

Nothing follows

[REDACTED]

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of September, 2004 at Fob Orgou-F, AEGHADISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

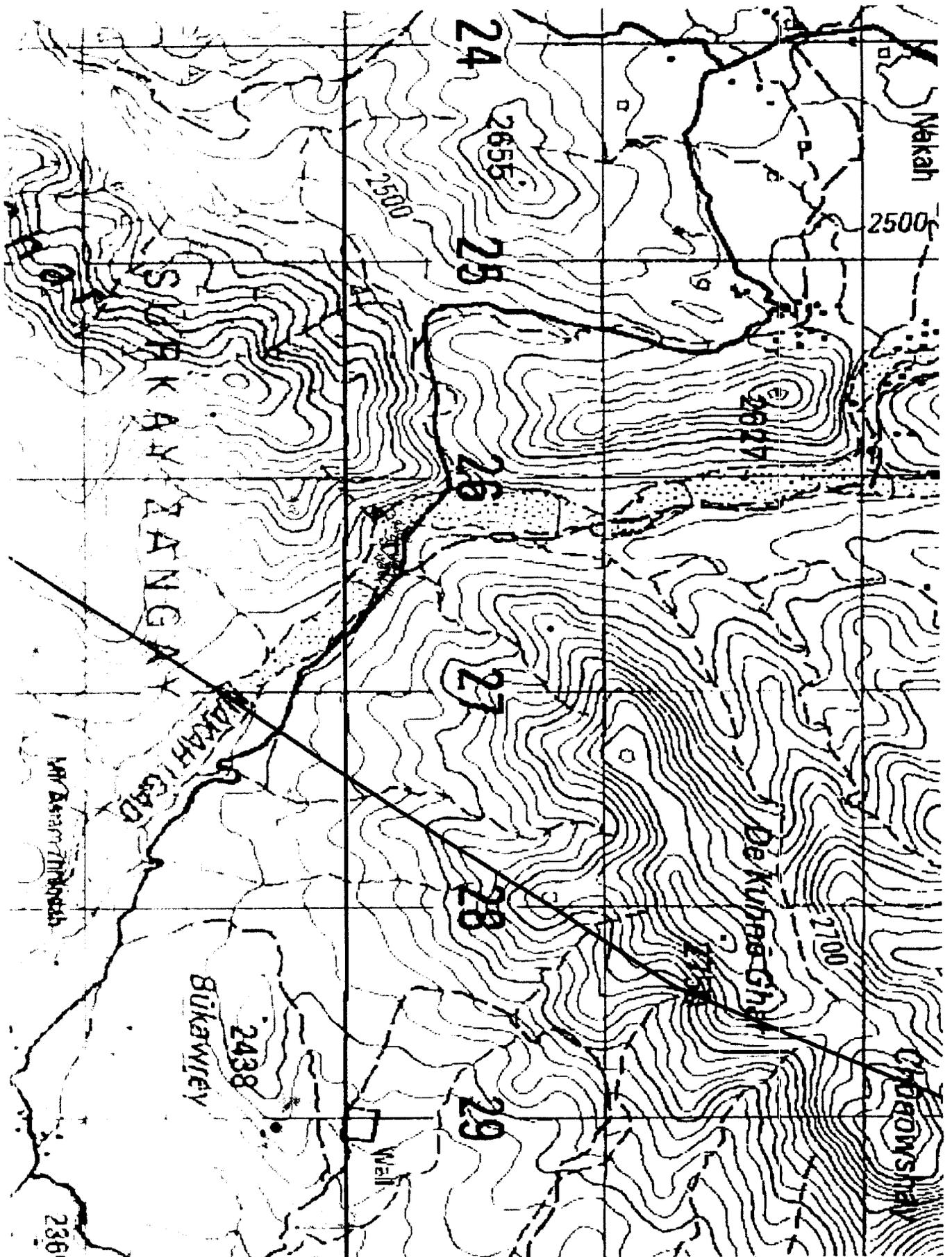
[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES



The above Planing-Statement is correct and

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**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>ORGUN E Fire Base</i>	2. DATE (YYYYMMDD) <i>2004 09 28</i>	3. TIME <i>0710 Z</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

on the morning of the twentieth I was told we would be moving at 0100 hours at AROUND 2230 I pulled the op down from the position which was to the left of my position on a hill. After finding out we were not moving out I sent my other team which consisted of [REDACTED] & spc wells up to the same position. Soon after we had a truck come thru the check point they were transporting strawberries in wicker baskets approximately 15 minutes after that vehicle went through I went to the pl's truck to see what was going on my team leader [REDACTED] was at the TCP position with the 240B mounted on the truck his saw gunner [REDACTED] and his 203 gunner [REDACTED]. Which was located approx 50 meters to the right of the op position as I was walking back from the PLS truck I saw a large round (Rocket) zip just past my head I immediately hit the ground I heard the explosion and then small arms fire I then rushed to my position (TCP) [REDACTED] was in a small trench laying fire down towards the eastern portion

10. EXHIBIT <b>EXHIBIT 39</b>	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>3</u> PAGES
----------------------------------	---	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF [REDACTED] TAKEN AT ORGUNE DATED 28 SEP 04

9. STATEMENT (Continued)

of the Ridge the OP was on the western portion of the Ridge  
[REDACTED] was behind the truck conducting sports on his mark  
[REDACTED] was on the other side of the truck shooting East  
I pulled those personnel away from the truck and had them use  
The trench as cover the whole time my 240 Cannon was trying to  
get his gun up I told my squad to suppress on my mark  
I shot tracer at a rocky area of the ridge About 100 meters North east  
of the op they went to suppress shortly after I called Cease fire and  
then watch and shoot as they pulled security I started calling  
up to the op to see if everyone is ok [REDACTED] Replied I dont know  
were wells is at that point [REDACTED] saw him in some low ground  
and said hes been hit I told [REDACTED] to grab the skedks as  
I Brought every one else in the squad up to secure the area  
as I approached I saw wells laying on his stomach facing  
the CP Area [REDACTED] took over all med treatment After wells  
was taken down off the hill I pushed my squad to the top of the  
Ridge were we took fire from and implaced security  
Nothing follows

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

STATEMENT OF [REDACTED] TAKEN AT ORGUN E DATED 28 Sep 04

9. STATEMENT (Continued)

[REDACTED]

**AFFIDAVIT**

I, [REDACTED], 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 INFLUENCE.

[REDACTED] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at FBI ORGUN-E, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

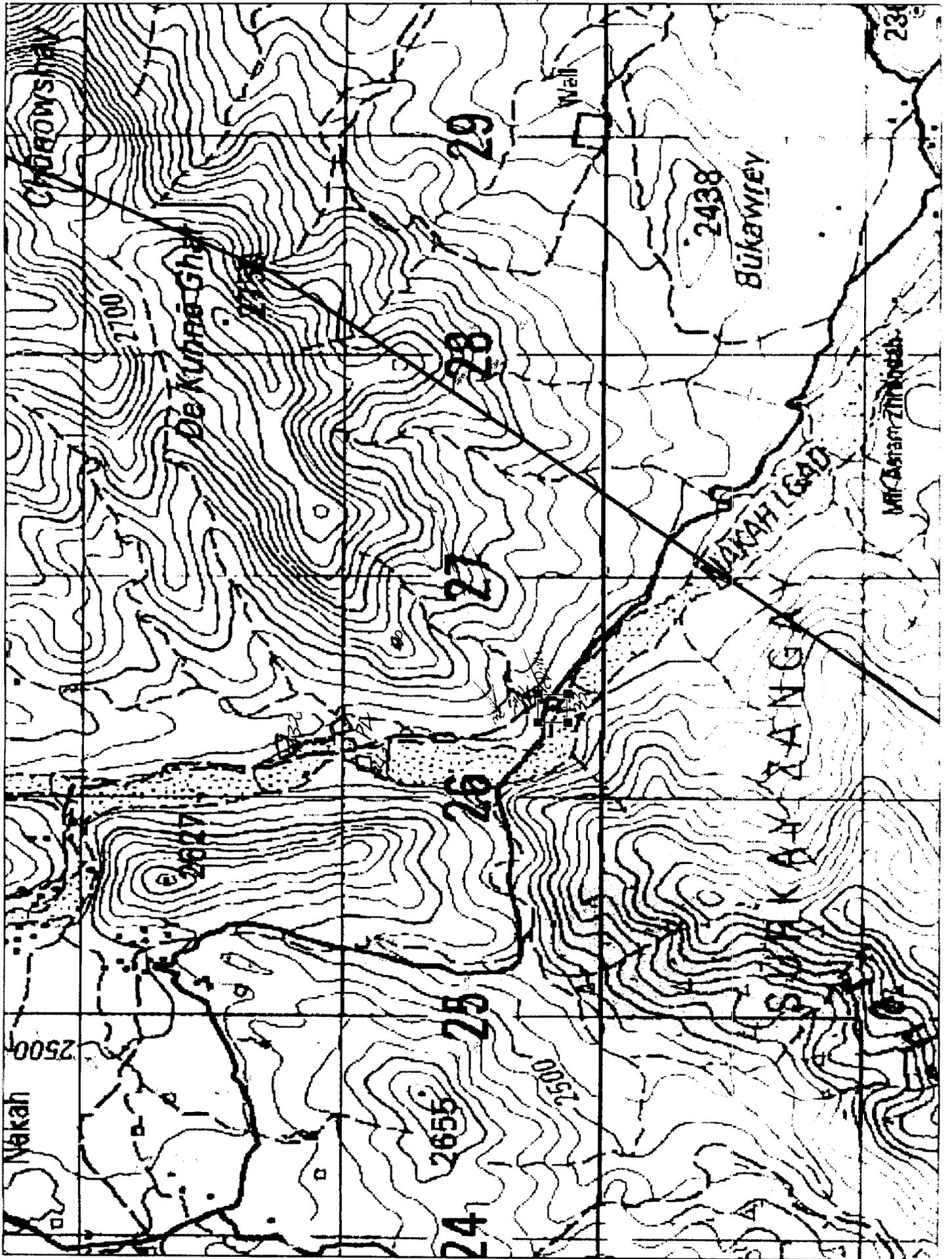
[REDACTED] (Typed Name of Person Administering Oath)

[REDACTED] (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES



SWORN STATEMENT

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PRIVACY ACT STATEMENT

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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: Orque Fire Base
2. DATE (YYYYMMDD): 28 Sep 04
3. TIME: 0710
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The terrain was cruddy into low ground very uneven and surrounded by ridges pretty close to the road. The high ground was kinda steep but, really it was more gradual than what we were used to.

[redacted]

Idont remember the lay out of the vehicles other than the relationship between our vehicle & the NOP. I marked were I think the op is on the map. see wells, benty, and [redacted] reoccupied the NOP with a saw, my, & a m14.

My team had been onto the NOP at night we came down early in the morning we ate breakfast 2 at a time [redacted] team went up to the op & occupied it we were running the E side of the top we had 1 ortwo cant remember exactly vehicles come thru we searched them & their vehicles & sent them on their way me & fanning were pulling security down the road fanning was on the 2405 & I had my m14 my other guys Doyle & garrison were relaxing in or by the truck with their keulars off. I heard an explosion followed by another whistle like sound which was a RPG & then that explosion of the RPG from that point until I got behind cover I dont remember at that point I find off I may in the area box area that I drew on the map

10. EXHIBIT: EXHIBIT 40
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 3 PAGES

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

STATEMENT OF [REDACTED] TAKEN AT Orjune DATED 28 Sep 04

3. STATEMENT (Continued)

I could see only the sun blinding me + I saw what looked to be muzzle flashes coming from the ridge inside the box I drew, after firing my initial mag I looked back at my soldiers [REDACTED] + [REDACTED] were behind the vehicle firing from the left + right side [REDACTED] only got off 3 rounds so when I turned to look at him he was correcting malfunctions on his saw but [REDACTED] was firing [REDACTED] was correcting malfunctions on the 240B I yelled at [REDACTED] get that saw up he yelled back this piece of shit aint working [REDACTED] yelled for them to run up to our position which was about 10ft in front of the humvee behind cover of some dirt they did by the time the firing had stopped I fired off 2 1/2 mags into the area of the box I drew on the map.  
Nothing follows

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF

[REDACTED]

TAKEN AT

Orgune

DATED

28 Sep 04

9. STATEMENT (Continued)

nothing follows

AFFIDAVIT

I, [REDACTED], 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,

WITNESSES:

[REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at FBI OREGON-E, ASTORIA

[REDACTED]

(Signature of Person Administering Oath)

[REDACTED]

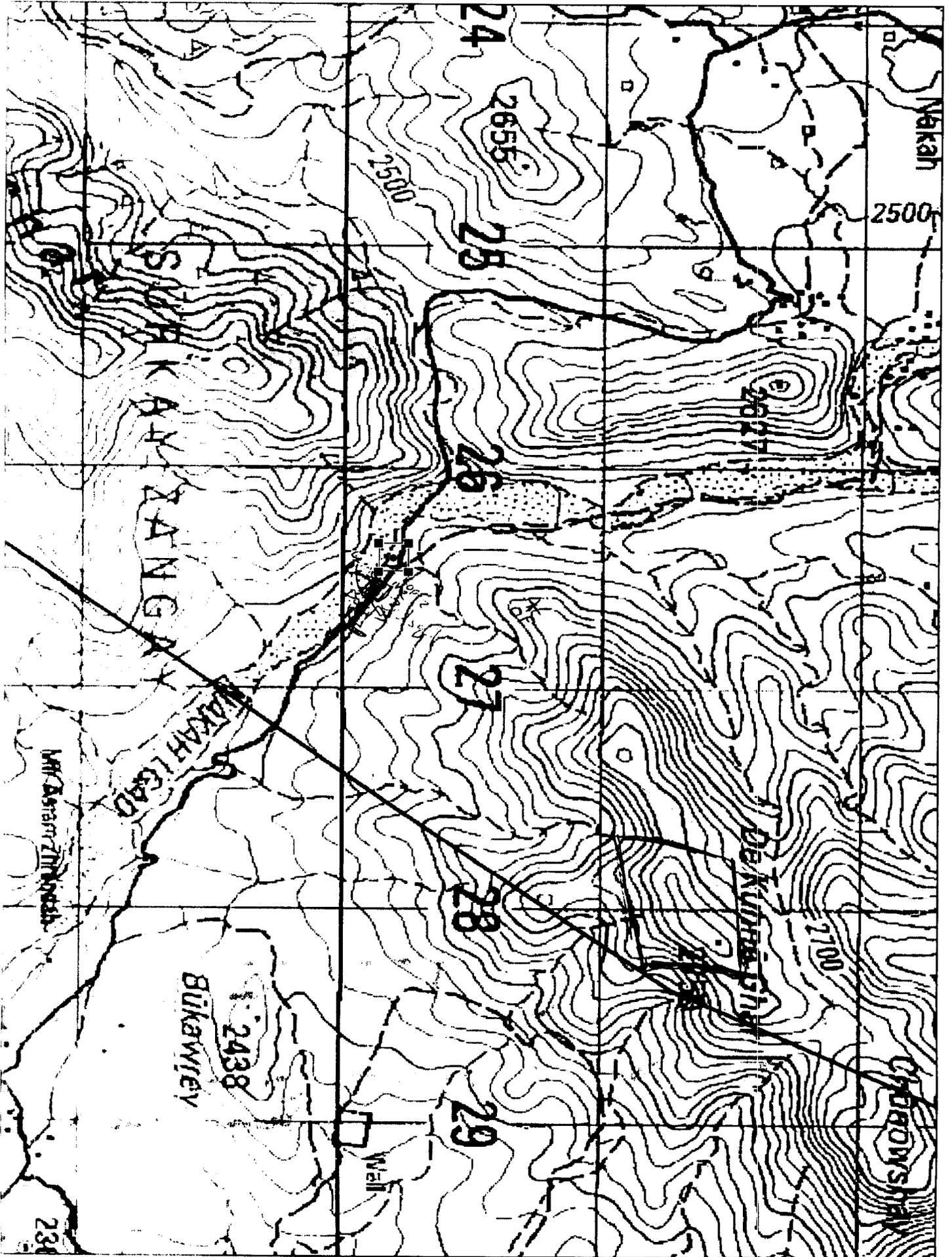
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES



Part of the map is not used

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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: Oran-E Fire base
2. DATE (YYYYMMDD): 28 Sept 2004
3. TIME: 071000 Z
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: [REDACTED]

8. ORGANIZATION OR ADDRESS: [REDACTED]

9. [REDACTED]

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

When our platoon set up the TCP on the 20th of Sept. we set up two OP's. ONE - to the west of the road, which is irrelevant. Two - was to our NNE, I will orientate on the map attached.

When the ambush happened I moved back behind a JMV and began to fire back. They were clearly to the right of the OP on a ridge, higher than the OP, and directing their fire towards it.

Knowing the OP's location and taking it into consideration, not one shot from my weapon went in that direction.

After they broke contact we secured our immediate area, then the area of the casualty, then the ambush site. From there we waited for the ~~strats~~ helicopters. After they came, did their thing, and left, so did we.

Nothing Follows

10. EXHIBIT: EXHIBIT 41
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 3 PAGES

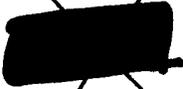
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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

STATEMENT OF  TAKEN AT Orghun - E DATED 28 Sept 2004

9. STATEMENT (Continued)

Nothing Follows



INITIALS OF PERSON MAKING STATEMENT



2  
PAGE

OF

3  
PAGES

STATEMENT OF [REDACTED] TAKEN AT Orghun-E DATED 28 Sept 2004

9. STATEMENT (Continued)

Nothing Follows

**AFFIDAVIT**

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 5. 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at FOB ORGHUN-E, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

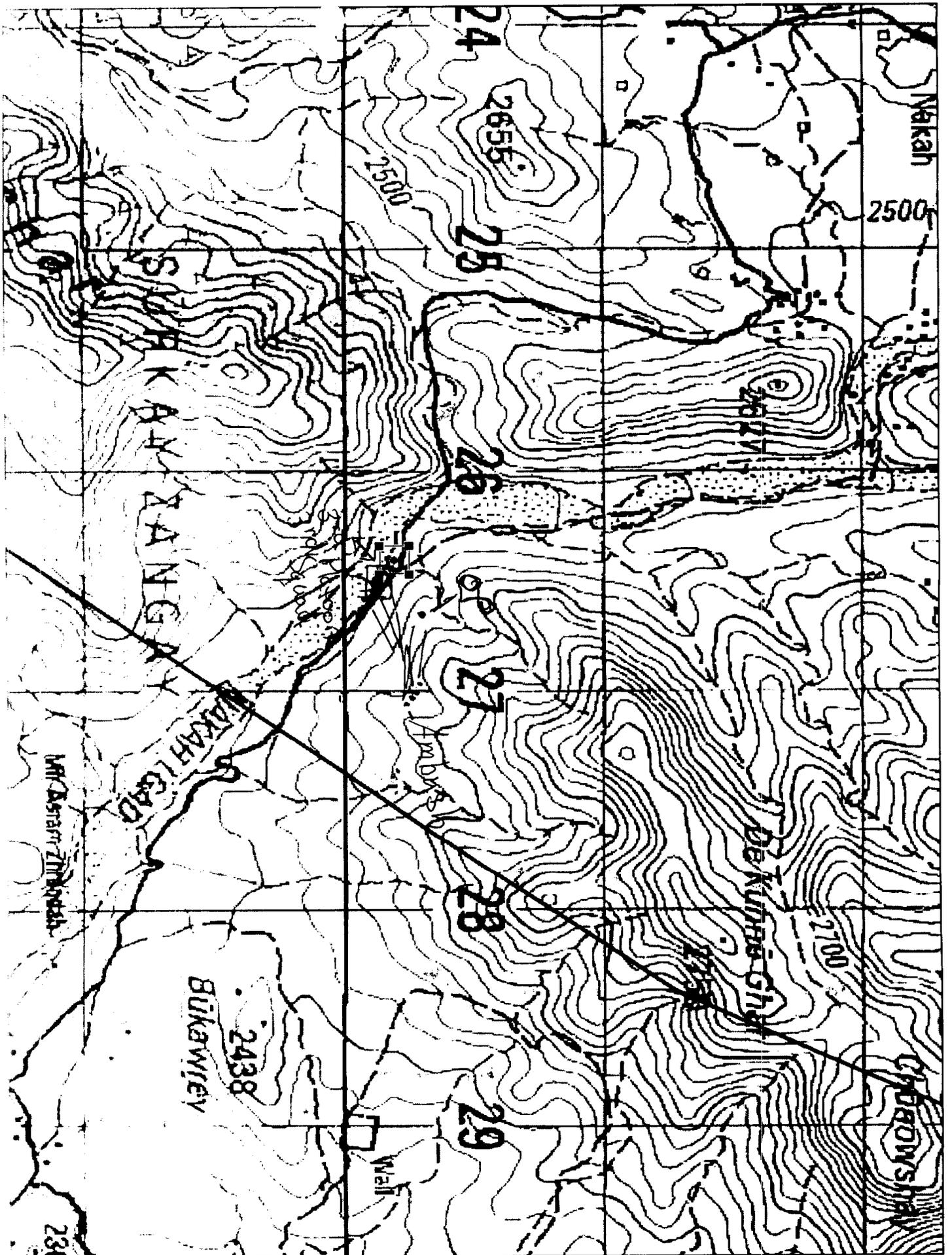
[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

PAGE 2 OF 2 PAGES



the new measurement continued

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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: ORGUN-E FIREBASE
2. DATE (YYYYMMDD): 20040928
3. TIME: 0710 Z
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

THE TERRAIN WAS NOTHING BUT HIGH GROUND ALL AROUND US. ACROSS THE WADDIE WAS THE TALLEST MOUNTAIN YOU COULD SEE WHILE STANDING ON THE TCP. OUR OP WAS LOCATED SE TO THE SOUTH OF OUR PL'S VEHICLE ABOUT 80 METERS FROM OUR OWN VEHICLE WHICH WAS PULLING SECURITY AT THE SOUTH END OF THE TCP. FHE

THE MORNING OF 20 SEPT WE RECEIVED A CALL ON THE RADIO TELLING US TO COME DOWN OFF THE OP AND BE PREPARED TO MOVE SOON. BRAVO TEAM, WHICH CONSISTS OF [REDACTED], MYSELF, [REDACTED] AND [REDACTED] CAME OFF THE OP AROUND 0030. WE MET BACK UP WITH THE REST OF THE SQUAD AND WAS TOLD WE WEREN'T LEAVING YET AND THAT ALPHA TEAM, WHICH CONSISTED OF [REDACTED], [REDACTED] AND SPC WELLS, WOULD BE REOCCUPYING THE OP. THEY MOVED OUT AT ABOUT 0115.

WHEN THE ENGAGEMENT BEGAN THE ENEMY INITIATED WITH AN IED AND AN RPG FOLLOWED BY SMALL ARMS FIRE. THE IED WAS DETONATED IN THE NORTHERN PART OF THE TCP TOWARDS OUR CP AND THE RPG WAS FIRED IN THE SAME LOCATION. THE SMALL ARMS FIRE, HOWEVER, SEEMED TO BE DIRECTED RIGHT AT US, THE SOUTH END OF THE TCP. AT THIS POINT EVERYONE WAS ENGAGED WITH THE ENEMY. [REDACTED] AND MYSELF WERE RETURNING FIRE BEHIND OUR VEHICLE. I'M NOT SURE WHERE HIS SECTOR WAS BECAUSE I WAS RETURNING FIRE ON THE RIGHT SIDE OF THE OP USING THE VEHICLE AS COVER. I HEARD [REDACTED] SAY GO DOWN AND SO [REDACTED] TOLD US TO MOVE UP AWAY FROM THE VEHICLE AND BY THIS POINT THE FIRING HAD CEASED AND WE WERE GETTING ACCOUNTABILITY WHEN WE FOUND OUT THAT SPC WELLS HAD BEEN HIT.

NOTHING FOLLOWS

10. EXHIBIT: EXHIBIT 42
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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

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

STATEMENT OF [REDACTED] TAKEN AT ORGUN-E DATED 28 SEP 04

STATEMENT (Continued)

NOTHING FOLLOWS

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT OR60W-E DATED 28 SEP 04

9. STATEMENT (Continued)

NOTHING FOLLOWS

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at FOS OR60W-E, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

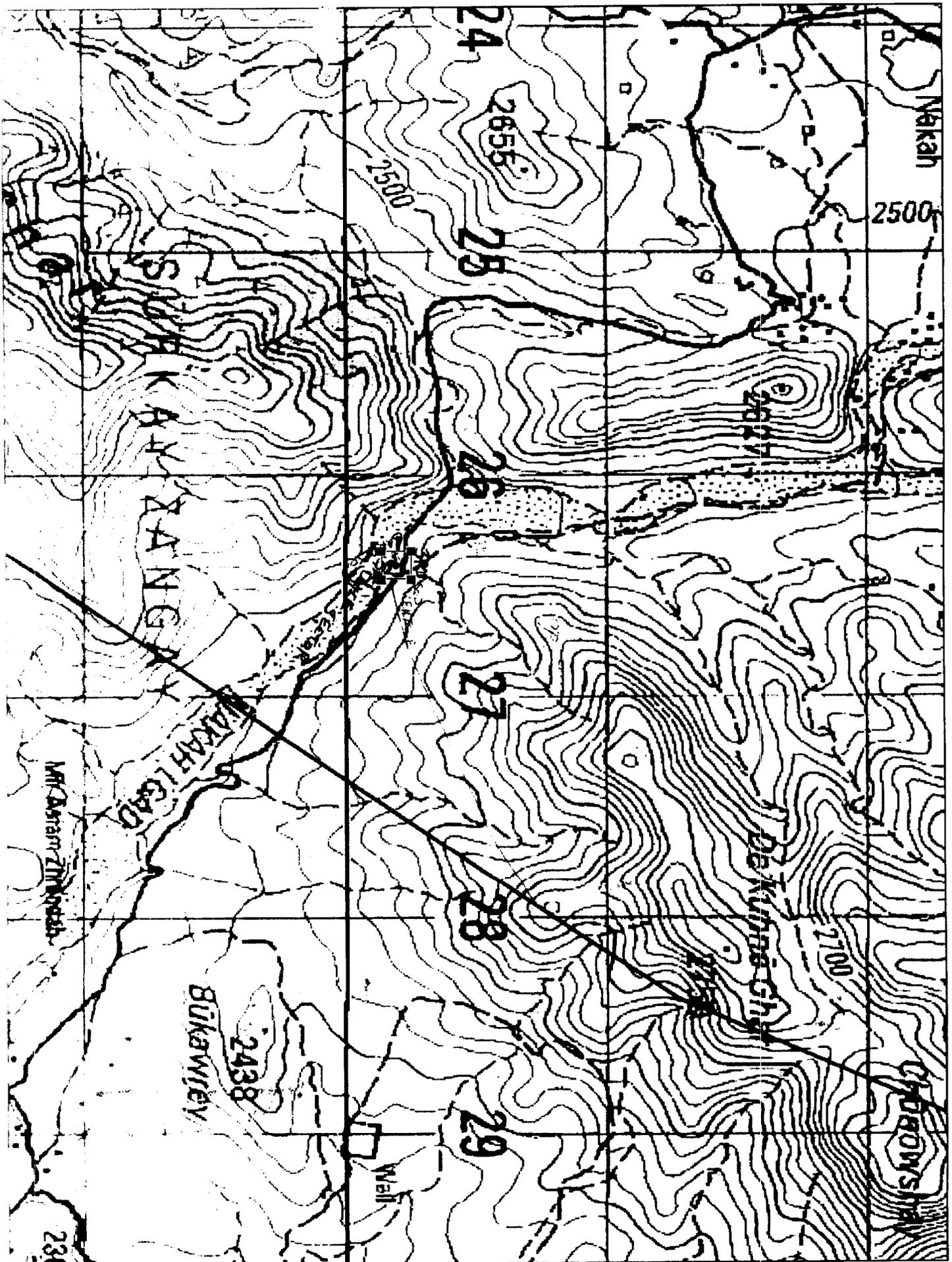
[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES



North arrow and map continued

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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.

7. LOCATION: O-F
2. DATE (YYYYMMDD): 2004/09/29
3. TIME: 0950 ZU
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:

8. ORGANIZATION OR ADDRESS:

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was placed at the vehicle farthest left at the TCP. It was myself, [redacted] & [redacted] was in the turret of the truck, [redacted] was on the left side and I was on the right. The next closest vehicle was the 81mm truck approx. 30m to the rt. and south of us. following that on the southern side was the 1st Sgt's truck and further down approx. 100m was from us was [redacted] vehicle. About 50m to the rt. and north of us was the Pl's truck w/ the 60mm mortars to their left.

I was initially at [redacted] truck to aid w/ night security. Sometime after 1st call, myself & [redacted] moved back to our truck. I am unsure when reoccupation of the OP occurred. [redacted] & myself were BIS-ing at the time an enemy initiated contact. The RPG impacted approx 20-25m to my rt. The concussion left me dazed and caused me to loose track of an unknown amount of time. The next thing I can recall I was grabbing my M-16 out of the drivers seat. [redacted] & [redacted] were asking where we were being hit from. I said from past the OP and said to fire were the 50 cal was shooting. The Pl's 50 cal. was shooting to the left of the enemy to avoid our op and to prevent enemy retreat that direction.

10. EXHIBIT: EXHIBIT 14
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 32 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

STATEMENT OF [REDACTED] TAKEN AT O-E DATED 09/29/04

9. STATEMENT (Continued)

During this time, rounds were impacting around us. I was attempting to fix a ~~malfunction~~ malfunction due to poor quality magazines. The cease fire was given. It had come down that Wells was hit and needed an aid & litter ~~team~~ <sup>team</sup>. Concurrently, 1st Sgt. called for binos to scan the ridge to our far rd. for poss. enemy movement. He called for me. I grabbed [REDACTED] and my k-pot and ran to [REDACTED] vehicle. On my way there the aid & litter had Wells w/in 10 m of the road. They called for more help. I dropped my binos off at [REDACTED] vehicle and ran to help Wells. I grabbed a corner of the stretcher and helped carry him to the 1st Sgt.'s truck. I then returned to scanning the far ridge.

nothing follows

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 32 PAGES

STATEMENT OF [REDACTED] TAKEN AT O-F DATED 09/29/04

9. STATEMENT (Continued)

[REDACTED]

Nothing follows

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

[REDACTED]  
[REDACTED]  
[REDACTED] ADDRESS

[REDACTED]  
[REDACTED]  
[REDACTED] PERSON OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of September, 2004 at FOB ORIGIN-E, ARGONAUTA

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

PAGE 3 OF 3 PAGES

**SWORN STATEMENT**

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

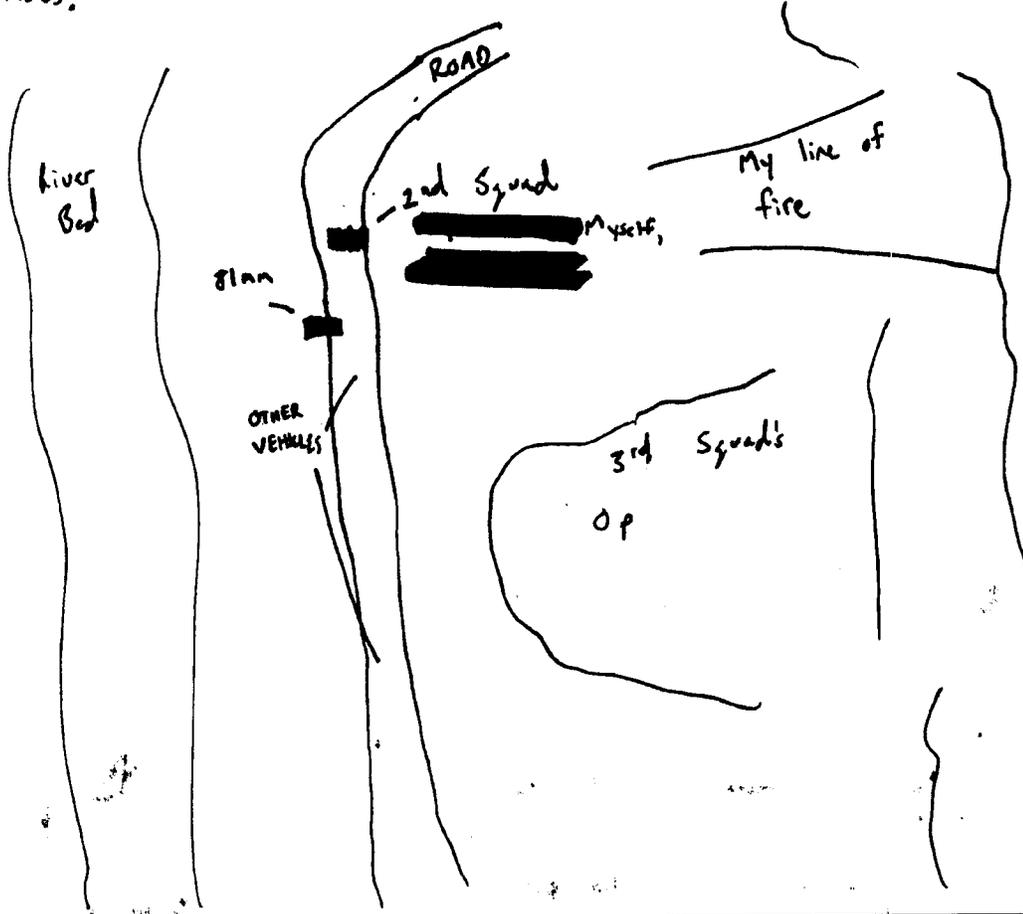
**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**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>FOB ORGUN-E</b>	2. DATE (YYYYMMDD) <b>2004/09/28</b>	3. TIME <b>0952Z</b>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the morning of September 20, 2004, my platoon was conducting a VCP. The layout of vehicles and positions as I remember them was as follows:



10. EXHIBIT <b>EXHIBIT 15</b>	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <b>3</b> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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

STATEMENT OF

TAKEN AT

FOB ORGUN-C DATED 28SEP04

## 9. STATEMENT (Continued)

I was a SAW gunner in 2nd Squad. I stayed in or around the vicinity of my squad's vehicle throughout the engagement, and most of the time before the engagement. As I never left the vehicle and we had arrived at the position at night I don't know the specific layout of the other vehicles that were behind: the 81mm mortar's vehicle, 3rd Squad's OP position was up to my right on a little hill and behind our vehicle by about 100m. I was in the vehicle talking to [REDACTED], who had just relieved me for guard on the turret. I ate my breakfast then got out and talked to him outside of the vehicle. At the time, I was wearing only my IBA. My FLIK, K-Pot, Assault pack and weapon were on the right side of the road and I had my back to the other vehicles. I heard and felt a boom from behind me that we learned was an IED that detonated somewhere by the 81mm's vehicle. I was on my knees and heard gunfire to my right. I began crawling to my weapon and took cover behind my assault pack. I looked back to the truck and [REDACTED] was trying to see through his M4 scope. I asked him where the fire was coming from. He pointed to the hill and ridgeline beyond and to the left of where 3rd Squad's OP was. I turned around and put my K-Pot on. I could see the guys on the OP low-crawling around on the OP. I looked straight to my front and saw the far ridge being peppered with rounds. I fired approximately 30-40 rounds at the far ridge before my weapon had a malfunction. I repeatedly tried to clear the weapon but it refused to fire. I decided I should find better cover so I grabbed my FLIK & my weapon and ran behind the squad's vehicle. I continued trying to fix my weapon until the shooting stopped. After it was over [REDACTED] and myself continued to observe the ridgeline from the vehicle. [REDACTED] came to the vehicle and told us about the IED. We heard people calling for a medic up on the OP. Somebody said

INITIALS OF PERSON MAKING STATEMENT

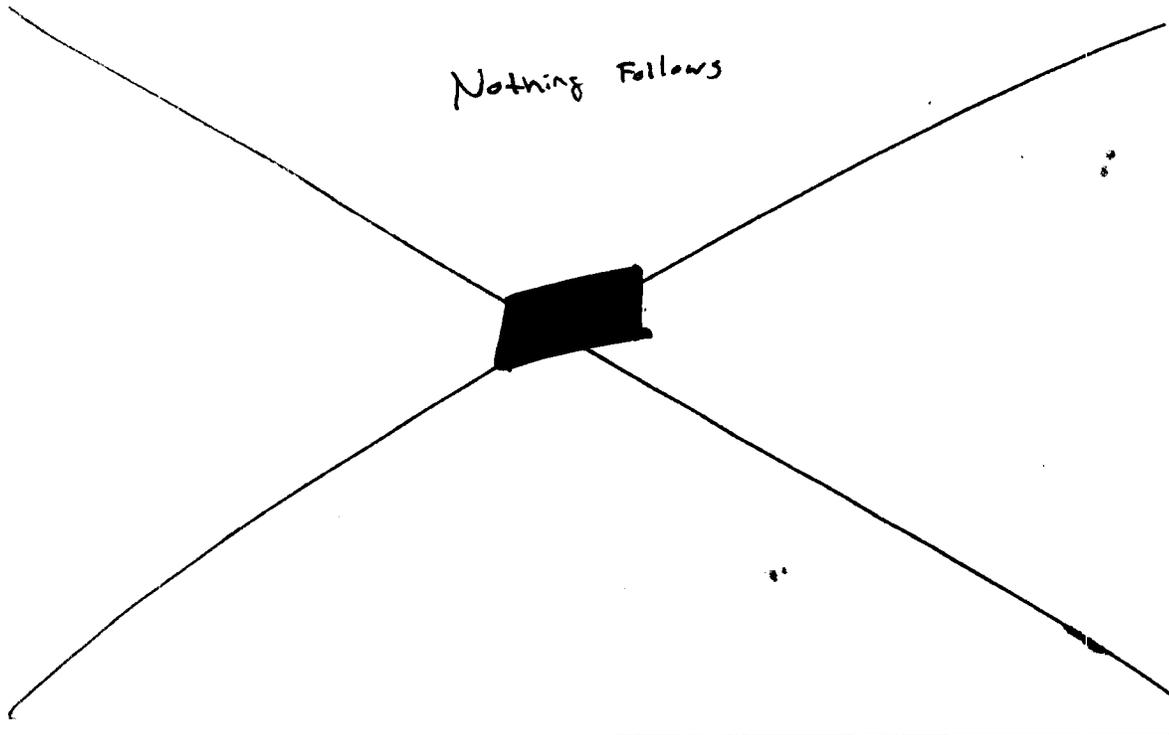
PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT FOB DEGUN-3 DATED 28 SEP 04

9. STATEMENT (Continued)

Wells was hurt. We watched as they carried him down then [REDACTED] [REDACTED] and myself were sent to an OP on the opposite side of the riverbed for the Medevac.

Nothing Follows



**AFFIDAVIT**

I, [REDACTED], 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

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at FOB DEGUN-3, AFGHANISTAN

[REDACTED]

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**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 Orgun-e	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	

8. ORGANIZATION OR ADDRESS

9. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: In your statement, you said you saw "the guys on the OP low-crawling around on the the OP." Describe in detail what you saw.

A: After the initial explosion I immediately secured my kevlar, weapon, and FLIK. I first looked to the far ridgeline for the enemy and then scanned tot he right where I saw one person low-crawling from the OP position toward the road.

Q: Did you see anyone else vic the OP position?

A: No.

Q: Could you see if the person moving toward the road was using his arms as he moved down the spur?

Yes. He was using his arms. [REDACTED] physically mimicked a low-crawling movement as a part of his answer)

Q: Did you ever see the same person stand up?

A: No.

Q: Do you have anything else you would like to add?

A: No.

Nothing

Follows  
[REDACTED]

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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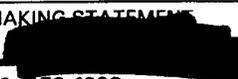
STATEMENT OF  TAKEN AT Orion - E DATED 13 OCT 2004

9. STATEMENT (Continued)

*Nothing*



*Folka*

INITIALS OF PERSON MAKING STATEMENT 

PAGE 1 OF 2 PAGES

STATEMENT OF [REDACTED] TAKEN AT ORGUN-E DATED 13 OCT 2004

9. STATEMENT (Continued)

*Nothing*  
*Follow*  
[REDACTED]

**AFFIDAVIT**

I, [REDACTED], 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 [REDACTED]

[REDACTED]  
*(Signature of Person Making Statement)*

WITNESSES:

[REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13<sup>th</sup> day of October, 2004 at FOB ORGUN-E, AFGHANISTAN

[REDACTED]  
*(Signature of Person Administering Oath)*

[REDACTED]  
*(Typed Name of Person Administering Oath)*

[REDACTED]  
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 OE
2. DATE (YYYYMMDD) 20040929
3. TIME 0950Z
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON THE DATE OF 29 SEPT 2004, 3RD PLT, ACO 2-27 INF ARRIVED AT THE LOCATION MARKED ON THE MAP IN THE 2627 GRID SQUARE AND PROCEEDED TO SET UP A TCP, TIME UNKNOWN, BUT BETWEEN 16 AND 1900 HOURS. 2ND SQUAD OCCUPIED THE NORTH END OF THE TCP, 3RD THE SOUTH, PL, PSGT, [REDACTED] AND ATTACHMENTS FELL IN BETWEEN. SFC. CAMDEN AND I WERE TASKED OUT TO 3RD SQD FOR THE NIGHT TO HELP PULL GUARD SHIFTS ON THE TCP. THE NEXT MORNING FIRST CALL WAS AT 0000 HOURS. AT THAT TIME EVERYONE WAS GIVEN THE ORDER TO PREPARE TO MOVE. 3RD SQUAD LEADER [REDACTED] PULL HIS TEAM OFF THE OP AND SENT ME AND [REDACTED] BACK TO 2ND SQUAD'S LOCATION. THERE WE CONDUCTED MORNING ROUTINES (CHOW, HYGIENE, WEAPONS MAINTINENCE ETC.) AROUND 0200, [REDACTED] AND I WERE TASKED OUT WITH [REDACTED] TO OCCUPY THE SW [REDACTED] OP LOCATED JUST OFF THE 2627 GRID. WE PROCEEDED NW ALONG THE ROAD, AND JUST INTO THE 2526 GRID WE BUSTED THE SPUR AND FOLLOWED IT S [REDACTED] TOWARDS THE ATTEMPTED OP LOCATION. HALF WAY UP WE STOPPED AND OBSERVED AN OCF CONJUOY MOVING EAST THROUGH THE 2526 GRID. WE RADIOED THE TCP AND LET THEM KNOW. WE [REDACTED] DECIDED TO REST FOR ABOUT 5 MINUTES, AT POINT WE HEARD AN EXPLOSION FOLLOWED BY ANYWHERE FROM 30 SEC TO A FULL MINUTE OF GUNFIRE. WE WERE HIDDEN FROM VIEW FROM THE TCP, SO NOT KNOWING WHAT WAS HAPPENING, WE TOOK COVER AND TRIED TO GET A SITREP. A COUPLE OF MINUTES LATER ALL WE HEARD WAS WELLS'

10. EXHIBIT EXHIBIT 16
11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

STATEMENT OF [REDACTED] TAKEN AT FOB OE DATED 29 SEPT 04

9. STATEMENT (Continued)

NAME OVER THE RADIO. WE CUT ACROSS TO THE NEAREST DRAW AND MADE IT DOWN THE MOUNTAIN, HIT THE ROAD AND DOUBLE TIMED IT BACK TO THE TCP. FROM THERE THE PLT. CLEARED THE SURROUNDING LOCATION AND SET UP AN LZ. AT NO TIME DID [REDACTED], [REDACTED], ~~AND~~ OR I FIRE ANY SHOTS.

NOTHING FOLLOWS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

NOTHING  
FOLLOWS

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of September, 2004 at FOB OIGU2-E, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
*(Signature of Person Administering Oath)*

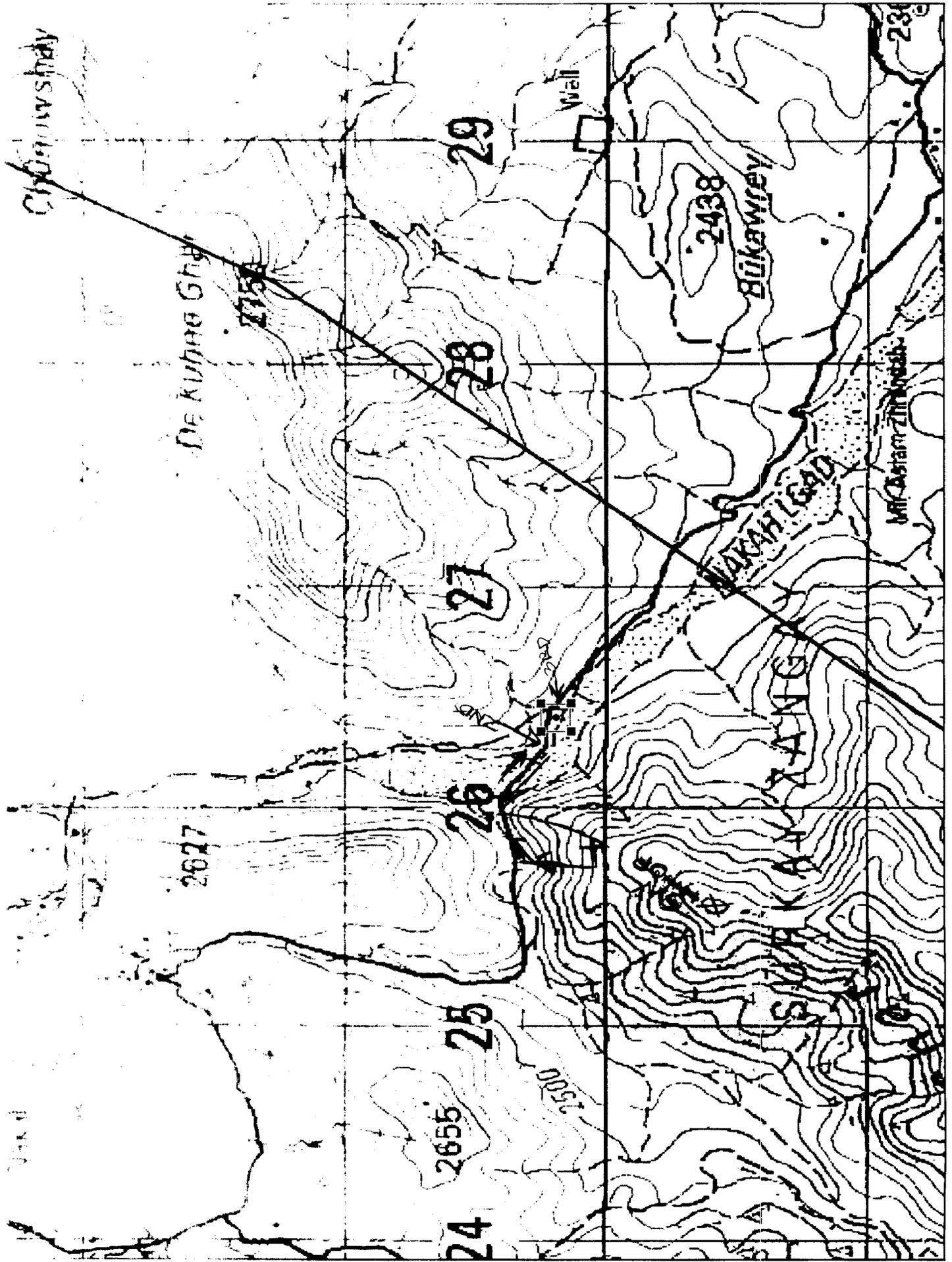
[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
*(Typed Name of Person Administering Oath)*

[REDACTED]  
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES



SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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: OE Fab
2. DATE (YYYYMMDD): 22 Feb 01
3. TIME: 1140 Zulu
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON SPT 20, 2001 I [redacted] was on mission with A company 3 pl. Events I could recall were has followed. We woke up around 0200 Zulu and started to put our sleep gear up. Follow put up our sleep gear, we ate chow and started talking. While talking we I heard and seen an explosion about 7-8 meters behind our hmv, Right after the explosion we heard small arms and we took cover. I DIDN'T know exactly where the fire was coming from. I waited to see where the 50 cal. was firing before I fired. I Notice the 50 cal was firing on the hill north west of p.l. vehicle. I did see the vehicle to my west firing, it look like the hilltop were spc wells was on. I mean in that direction, but I was really not too sure. I was just scan my area shoot were ever the 50 cal shot at. After the fire fight we pulled security and watch from for any-body who was in the area that shouldn't be there. I heard when someone check were wells was pulling his o.p and heard he was hit. I and called medic and so did many other people so the Doc would aide his needs. After they said wells was KIA we pulled security till we lined up and move out to police station

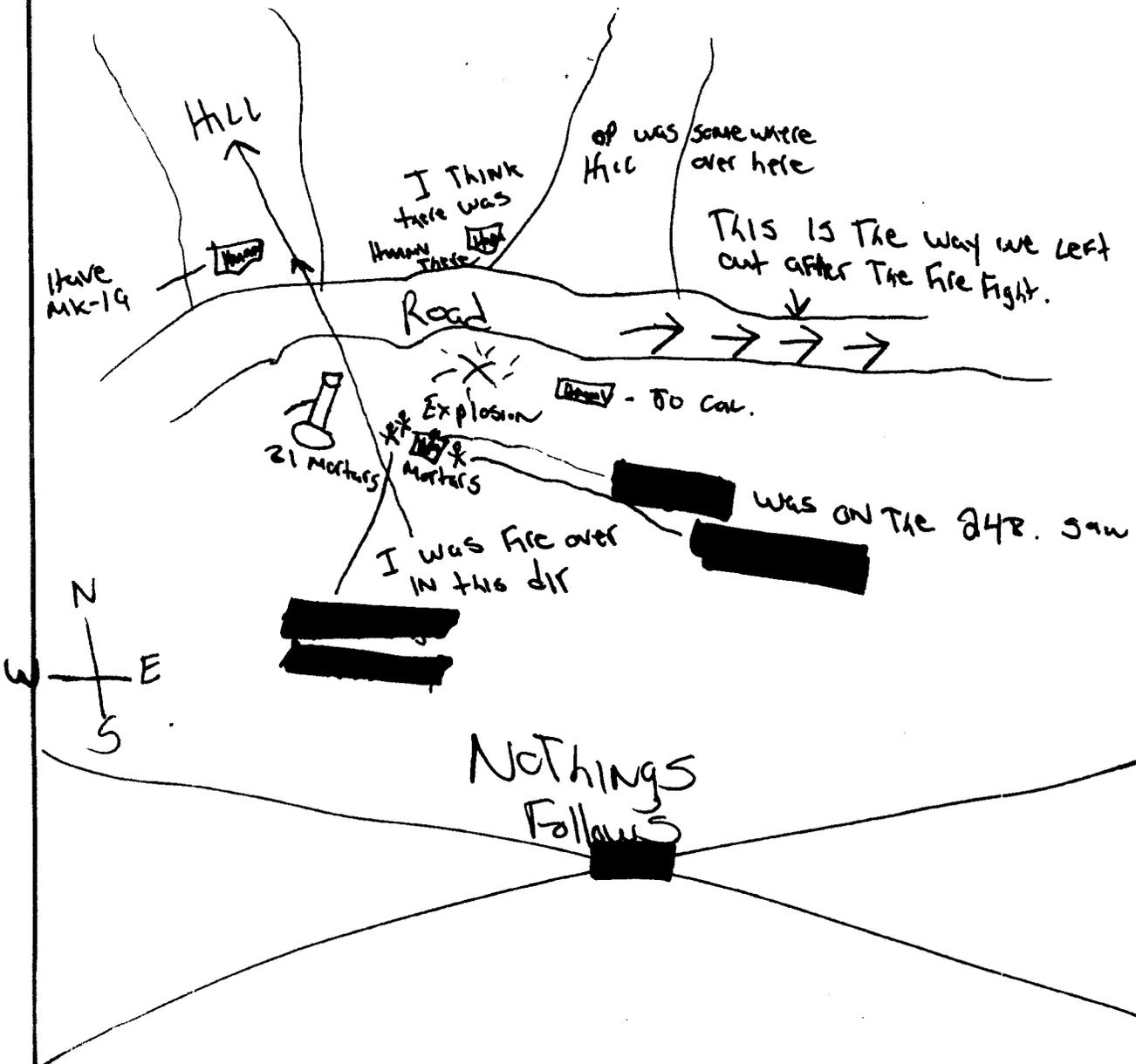
10. EXHIBIT: EXHIBIT 17
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF [REDACTED] TAKEN AT OE FOB DATED 28 Sep 04

9. STATEMENT (Continued)

too Drop off some pacs we think were involved in the attack. Here a drawing of where I think the vehicle were at ~~the~~ ~~our~~ ~~with~~ we were got attacked.



INITIALS OF PERSON MAKING STATEMENT [REDACTED]

STATEMENT OF [REDACTED] TAKEN AT O.E. Fob DATED 28 Sep 04

9. STATEMENT (Continued)

Nothing Follows

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of September, 2004 at Fob ORGUN-E, AEGNAUSTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**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 Organ E.	2. DATE (YYYYMMDD) 20040929	3. TIME 0950Z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the morning of the 20<sup>th</sup> I was attached to the 81 mortars as security. Sometime in the early morning after all equip. was packed and people were eating / around the vehicals an IED exploded. At the time the IED exploded I was maybe 10-15 feet away. Almost as soon as the explosion happened I heard gun fire. I ran to the other side of the vehical and oriented my weapon where I thought the fire was coming from. When I didn't see any muzzle flashes or rounds impacting anyplace I repositioned myself to cover down on the west. I stayed pulling security on our west flank until we moved out later.

*Nothing Follows*

10. EXHIBIT EXHIBIT 18	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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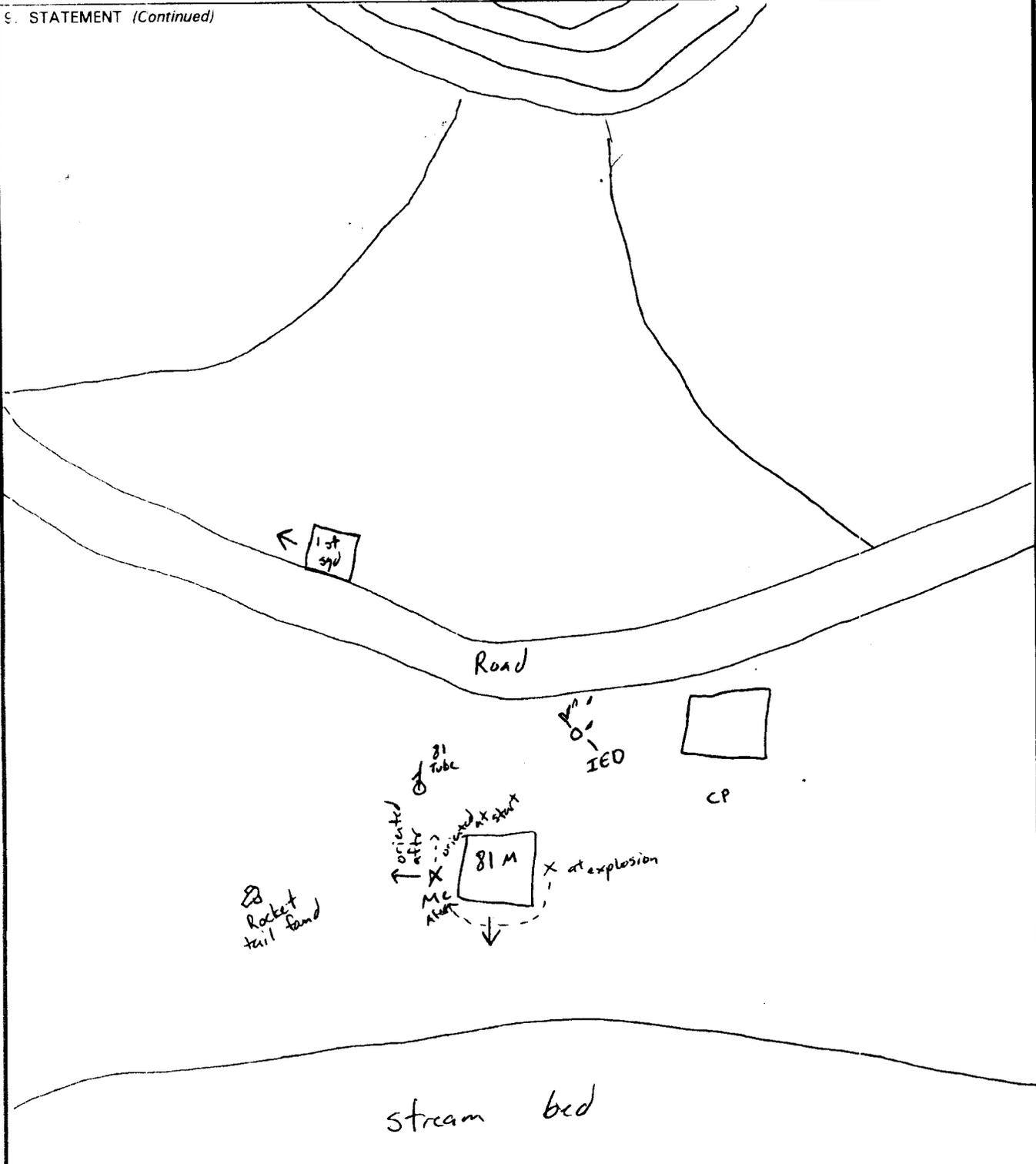
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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

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

STATEMENT OF [REDACTED] TAKEN AT FOB Organ E DATED 2004 09 29

9. STATEMENT (Continued)



INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT FOB Organ E DATED 2004 09 29

9. STATEMENT (Continued)

[REDACTED]

Nothing follows

**AFFIDAVIT**

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of September, 2004 at FOB Organ E, AFGHANISTAN

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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.

7. LOCATION 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the day of the contact, [redacted] and myself were at our truck talking. An explosion went off approximately 5 meters to the rear of our truck. We immediately took cover and then reacted to the small arms fire. [redacted] jumped in the turret and initiated fires on a hilltop to the left of the OP. He was firing the SAW. Shortly after the 50 CAL. machine gun opened up on the same hilltop. At this time I came back from the mortar system to take cover and return fire. By this time cease fire was initiated. I did not discharge any rounds. Next thing I know someone is calling out for the medic. [redacted] responded. To my understanding, SPC Wells had already succumbed to his wounds. [redacted] was pulling security at our truck. The trucks were positioned accordingly to the best of my knowledge;



10. EXHIBIT EXHIBIT 19 11. INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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

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

STATEMENT OF  TAKEN AT GLJ DATED 2004 10 12

9. STATEMENT (Continued)

*nothing follows*



INITIALS OF PERSON MAKING STATEMENT

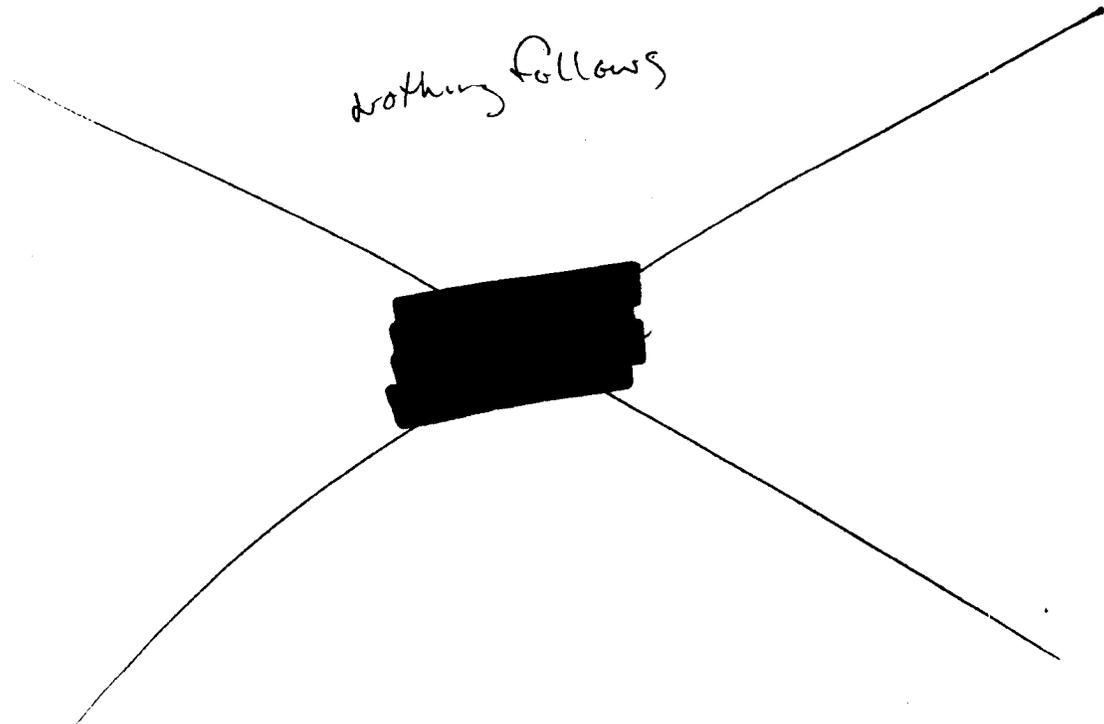


PAGE 2 OF 3 PAGES

STATEMENT OF  TAKEN AT 0615 DATED 2004 10 12

9 STATEMENT (Continued)

*nothing follows*



**AFFIDAVIT**

I, , 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.

  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12<sup>th</sup> day of October, 2004 at Fog Onkul-E, AFGHANISTAN

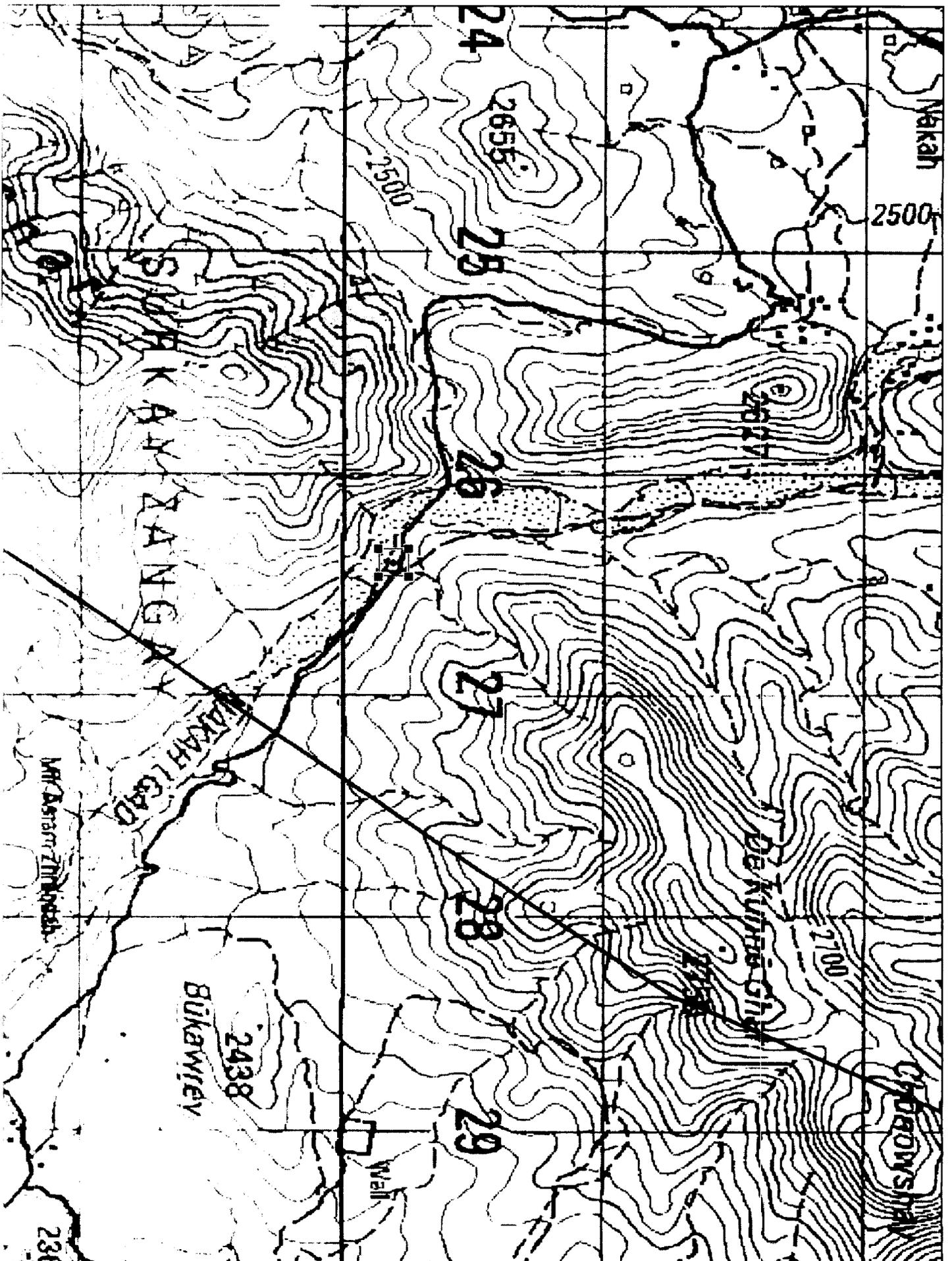
  


  
(Signature of Person Administering Oath)

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

  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  

Scale 1:50,000

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

To provide commanders and law enforcement officials with means by which information may be accurately

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

Disclosure of your social security number is voluntary.

2. DATE (YYYYMMDD) 20041012		3. TIME	4. FILE NUMBER
NAME, MIDDLE NAME FOB CREUN-E		6. SSN	7. GRADE/STATUS

\_\_\_\_\_ WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 20 SEPT 04 WHILE SUPPORTING 3 PLATOON A CO, WAS OCCUPYING A VCP VIC GRID ~~262~~ NACAH. ON THE MORNING OF THE 20TH WE RECEIVED CONTACT. I WAS SITTING IN THE DRIVER SEAT OF THE VEHICLE WE USE. I HEARD ONE LARGE EXPLOSION TO THE REAR OF THE TRUCK. \_\_\_\_\_ WAS STANDING OUTSIDE THE GUN TO MY LEFT. AS SOON AS THE EXPLOSION WENT OFF \_\_\_\_\_ DOVE ON TOP OF ME. ONCE I KNEW WHAT HAD HAPPENED I ASKED IF \_\_\_\_\_ WAS O.K. I THEN JUMPED UP INTO THE TURRET WHERE WE HAD AN M249 MOUNTED POINTING UP THE DRAW. SMALL ARMS FIRE FOLLOWED THE EXPLOSION. AT FIRST I LOOKED TO SEE IF I COULD SPOT ANY MUZZLE FLASH FROM THE ENEMY. I LOOKED TOWARDS THE SPUR TO MY RIGHT FRONT AND SAW SMALL ARMS FIRE HITTING THE SPUR. I THEN FIRED DIRECTLY TO MY FRONT WHERE THE M249 WAS ORIENTED. I FIRED 3 GOOD BURST BEFORE THE SAW JAMMED. I THEN CORRECTED THE MALFUNCTION AND FIRED AGAIN. \_\_\_\_\_ TOOK A POSITION TO MY RIGHT AND FIRE IN THE SAME DIRECTION. ONCE THE SMALL ARMS FIRE STOPPED I INSTRUCTED \_\_\_\_\_ TO MAN THE MORTAR. \_\_\_\_\_ REPLACE ME IN THE TURRET AND

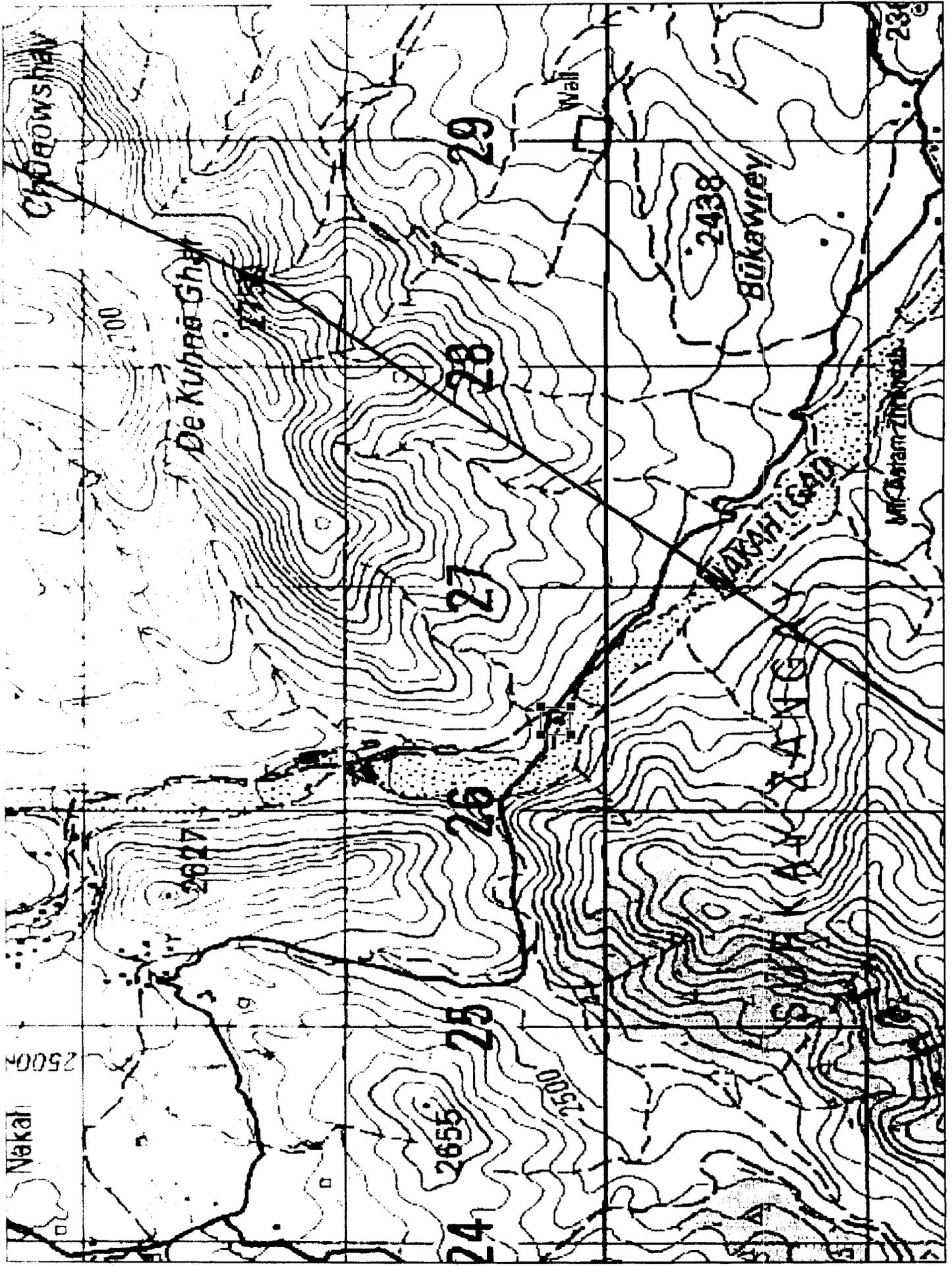
EXHIBIT 20	11. INITIALS OF PERSON MAKING STATEMENT _____	PAGE 1 OF 2 PAGES
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MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

IF ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER \_\_\_\_\_







SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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) 20041012
3. TIME 0616
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS

3. ORGANIZATION OR ADDRESS

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the morning of the twentieth of September, I was conversating with [redacted], [redacted], and [redacted] near our montar vehicle. [redacted] told us to put on our IBA, and to have our keklar and weapon close by. Once we put everything on we came to the driver side of the vehicle, and continue to converse. Then the next I knew there was an explosion at the rear end of our vehicle about four to five meters away. The explosion was so close and loud that I covered my ears and jumped on top of [redacted] in the driver seat. We both ask eachother if we were alright, and [redacted] and [redacted] were on the T.C. side of the vehicle taking cover. Seconds after that [redacted] jumped up in the turret where Spc. Craig's saw was mounted, as we began to hear small arms (AK 47) fire. I grab my weapon that [redacted] threw to me off the hood, and stood up on the drivers seat next to [redacted]. [redacted] began to fire to what was a draw straight to our front. I began to fire my m-4 carbine towards the same draw. To my right was the OP spur where I spotted before the explosion three personel lying in the prone. It looked like the small arms firing was coming just to the right of the OP on a hill top.

10. EXHIBIT EXHIBIT 21
11. INITIALS OF PERSON MAKING STATEMENT [redacted]
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

STATEMENT OF [REDACTED] TAKEN AT Orgun-E DATED 12 OCT 04

STATEMENT (Continued)

Seeing that the explosion was towards the draw myself and [REDACTED] were firing at, we continued three round burst and controlled pairs towards the draw. After I unload one magazine everyone stopped firing, and I began to hear everyone yell for [REDACTED]. I saw a [REDACTED] of guard lying half way down the spur. [REDACTED] transported the soldier down [REDACTED] the spur next to the [REDACTED] first [REDACTED] vehicle. Then shortly after [REDACTED] told me that SPC. Wells was killed. In a sense, everything from the explosion on happen so fast to remember in great detail.

Nothing Follows

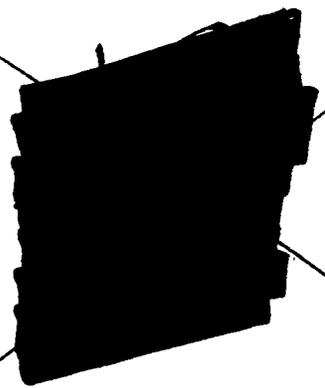
[REDACTED]

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

STATEMENT (Continued)

Nothing Follows



AFFIDAVIT

I, [REDACTED], 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 [REDACTED]

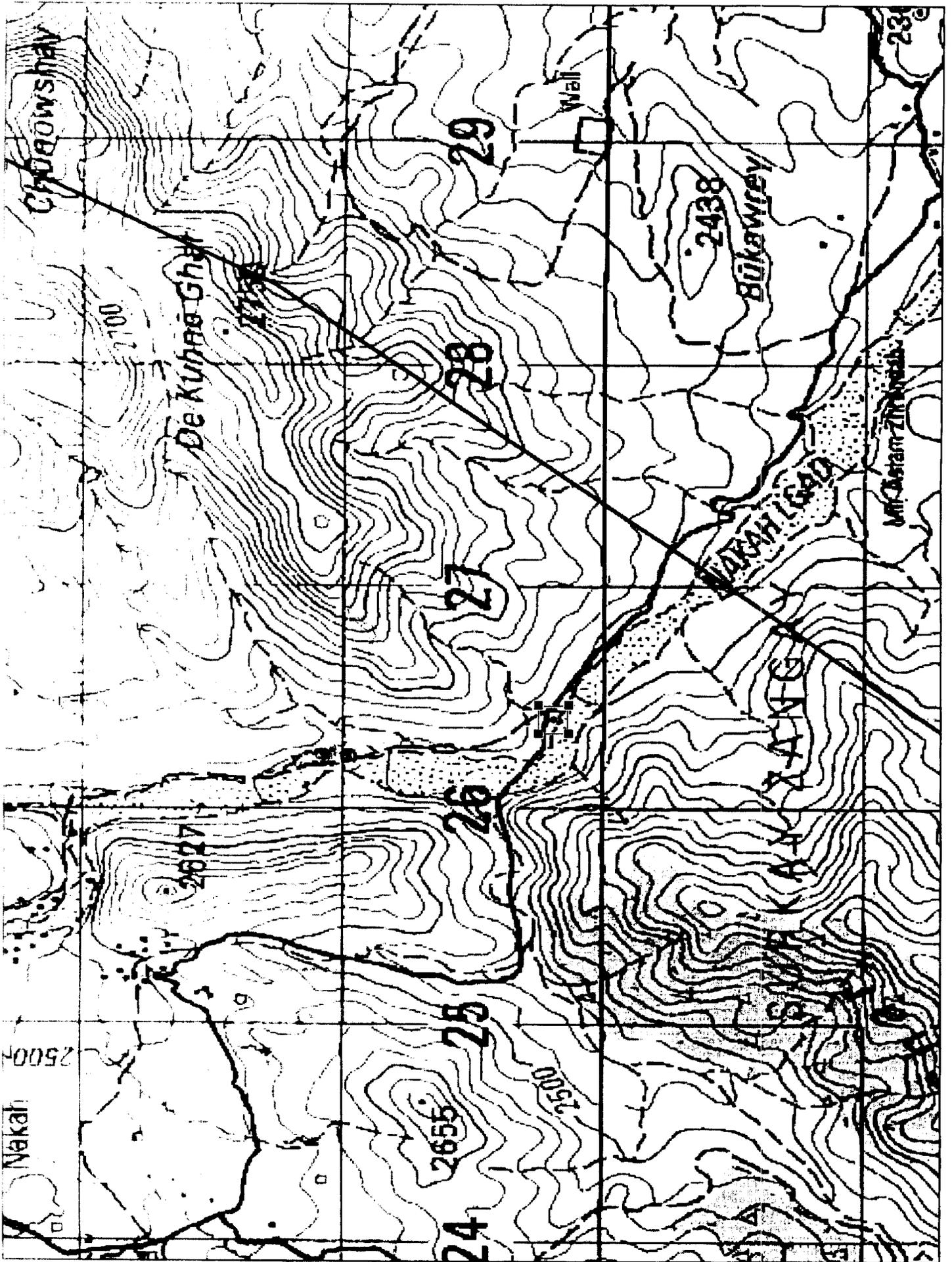
ORGANIZATION OR ADDRESS  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12<sup>th</sup> day of October, 2004 at FOR ORGUN-E, AFGHANISTAN

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

[REDACTED]  
(Authority To Administer Oaths)



© 1980 Andrew ...

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 ORGUN E
2. DATE (YYYYMMDD): 20040928
3. TIME: 1515
4. FILE NUMBER
5. LAST NAME: [REDACTED] NAME
6. SSN: [REDACTED]
7. GRADE/STATUS: [REDACTED]
8. ORGANIZATION OR ADDRESS: [REDACTED]

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON THE MORNING OF SEP 20 2004, I WAS AT OUR PL'S JMV HAVING A LITTLE BREAKFAST AND TALKING WITH OTHER MEMBERS OF 3RD PLATOON, [REDACTED], AND [REDACTED], AND OUR FO WHICH I DON'T REMEMBER HIS NAME. AT THIS TIME [REDACTED], [REDACTED], AND WELLS WERE ALREADY AT THEIR OP.
OUR VCP WAS OFF OF A ROAD INSIDE A WADDIE A HIGH RIDGE LINE TO OUR SOUTH, AND OTHER HIGH GROUND ALL AROUND. THE PLS VEHICLE HAD A SO CAL ON IT, OUR PSG'S VEHICLE HAD A SO CAL ON IT, THE MARK 19 WAS ON [REDACTED] VEHICLE, AND A 240 WAS ON [REDACTED] VEHICLE. PLACEMENTS CAN BE SEE ON THE MAP INCLUDED WITH THIS STATEMENT.
WHEN THE RPG ROUND CAME IN AND THEN LANDED BETWEEN THE PLS TRUCK, PSG'S TRUCK AND THE MORTOR I FIRST TOOK COVER BEHIND THE PLS TRUCK AT THE DRIVERS SIDE. I THEN STARTED TO HERE THE OP TAKING FIRE AND THEM RETURNING. AFTER HEREING OUR PL YELLING FOR HIS GUNNER TO GET ON THE SO, AND HIM NOT BEING ABLE

10. EXHIBIT: EXHIBIT 22
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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 [REDACTED] TAKEN AT FOB DE DATED 28 SEP 04

9. STATEMENT (Continued)

I JUMPED ON AND RETURNED FIRE INTO A RIDGE LINE TO THE SIDE OF THE OP IT BEING THE ONLY PLACE I COULD SAFELY SHOOT AT, SHORTLY AFTER CONTACT STOP AND WE HEARD THE OP YELLING FOR A MEDIC AND SAYING SPC WELLS HAD BE SHOT. WHAT I THINK TO BE THE DIRECTION OF ENEMY AND MY FIRE IS ON THE MAP WITH THIS STATEMENT.

ACTIONS AFTER CONTACT WERE AS FOLLOWS, A GROUP OF PEOPLE I DON'T KNOW WHO WENT UP TO SPC WELLS WITH A LITTER AND BROUGHT HIM DOWN OFF THE OP A MEDEVAC WAS CALLED IN BY OUR PSG AND WE WAITED FOR THE BIRD.

NOTHING FOLLOWS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF

[REDACTED]

TAKEN AT FOB OF

DATED 28 SEP 04

9. STATEMENT (Continued)

NOTHING FOLLOWS

[REDACTED]

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of September, 2004 at FOB ORDNANCE RECHARGEMENT

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

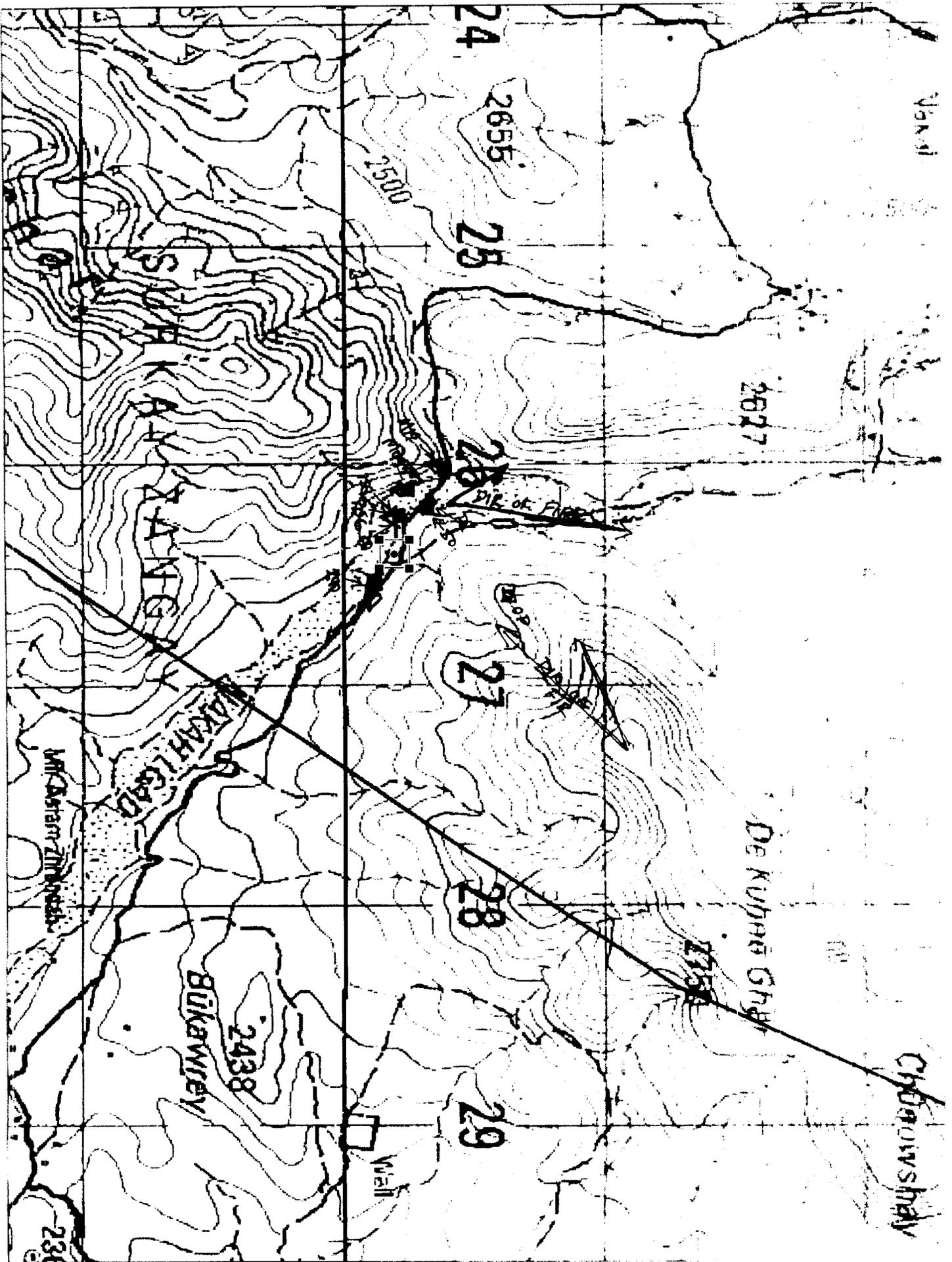
[REDACTED]  
(Typed Name of Person Administering Oath)

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

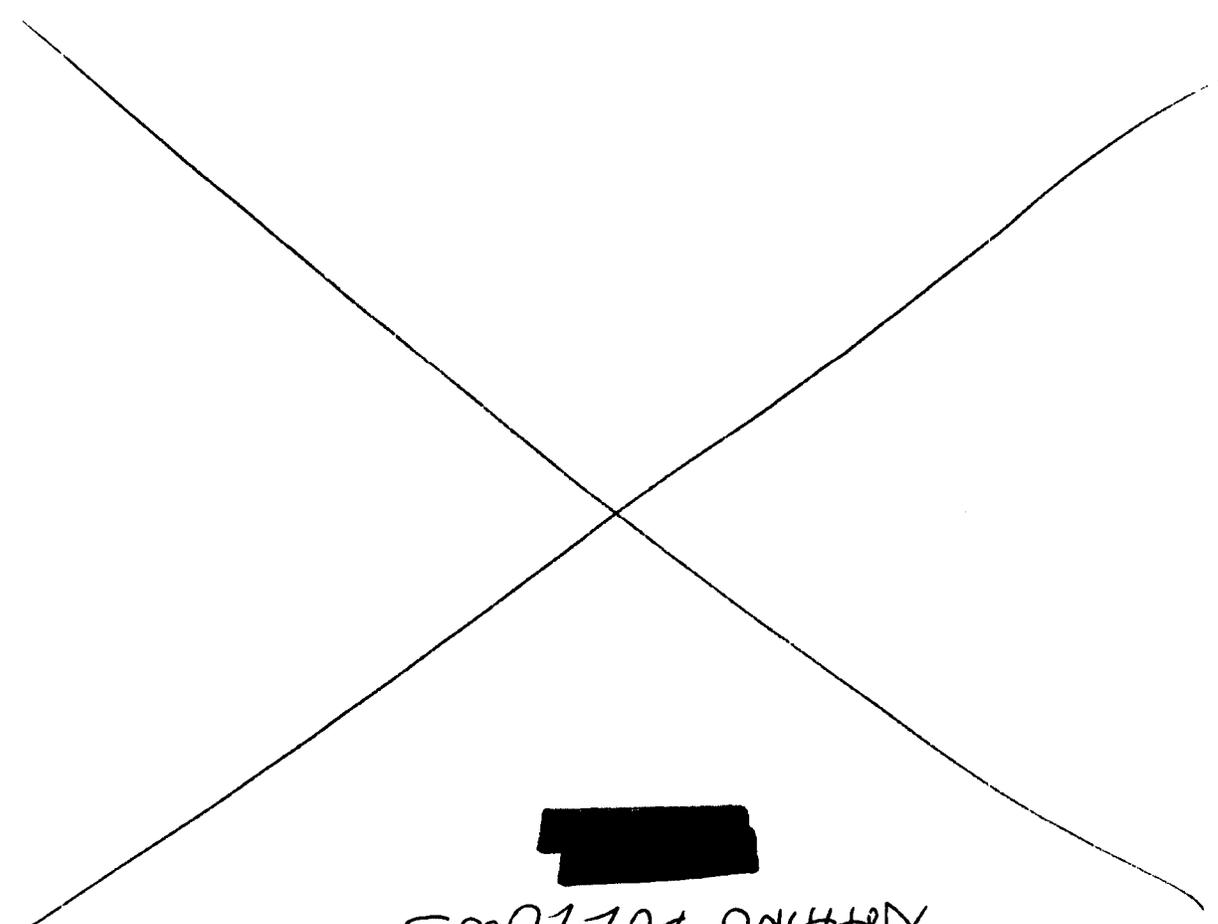


ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_" THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

PAGE 1 OF 2 PAGES

PERSON MAKING STATEMENT

10. EXHIBIT



9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
Q: As best as you can, describe the direction that you were firing your weapon (.50 cal). You can use cardinal direction, terrain references, azimuth etc.  
A: \_\_\_\_\_ gave my primary direction of fire; my fires were oriented north and northwest toward hilltop 2627. I fired approximately \_\_\_\_\_ rounds.

8. ORGANIZATION OR ADDRESS			
5. LAST NAME, FIRST NAME, MIDDLE NAME		6. SSN	
7. GRADE/STATUS		4. FILE NUMBER	
1. LOCATION FOB Orgun-e		2. DATE (YYYYMMDD)	
3. TIME		DISCLOSURE: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. 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 ROUTINE USES: DISCLOSURE: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRIVACY ACT STATEMENT

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

SWORN STATEMENT

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

*[Large handwritten X across the page]*



*Nothing to follow*

9. STATEMENT (Continued)

STATEMENT OF  TAKEN AT *O-E* DATED *10-13-04*

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

INITIALS OF PERSON MAKING STATEMENT

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

(Typed Name of Person Administering Oath)

(Signature of Person Administering Oath)

ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of Sept, 2004 at FBI ONCAJ-5, BRIGHTSTAR

WITNESSES:

I, [REDACTED], 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 MANAGEMENT.

AFFIDAVIT



9. STATEMENT (Continued)

STATEMENT OF [REDACTED]

TAKEN AT [REDACTED]

DATED

10-13-04

X JEFFREY E. [REDACTED]

MUST BE INDICATED.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

10. EXHIBIT  
EXHIBIT 03

11. INITIALS OF PERSON MAKING STATEMENT  
PAGE 1 OF 3 PAGES

On 20 Sept 04 my platoon was set in a TCF in vicinity WB274702. Our mission was to check and report any traffic coming in or out of NEKA. The 2nd squad was set in 50-75m to the NE with a team located in vicinity of WB 257695 as an OP. 3rd squad was located 100m SW west with an OP consisting of [redacted] & [redacted] & [redacted] in WB267708. The B1M mortar crew was located approx. 20m SE of the CP (WB274702). The 56G vehicle (to include the 156) was located approx. 20m S of the CP. Other than the two OP's, the rest of the platoon was set in the wadi to control the two TCFs. At approx 0130z [redacted] and his team was pulled off of the NE of and [redacted] and his team made their way up and set in at approx 0215z. At 0225z (approx) a group of CBV consisting of 5 vehicles traveling SE drove through our position. No more than 5 minutes later an IED and RPG detonated in the vicinity of the CP. Seconds later an eruption of gun fire (small arms) erupted from the NE. I made my way to the CP [redacted] from the 56G vehicle, where my vehicle (w/a 50 cal), (F55), [redacted] (RTO/Driver), [redacted] (REDSAT RTO), [redacted] (Gunner), [redacted] (MORTSMAN), [redacted] (MORTSMAN), [redacted] (MORTSMAN) was located. The REDSAT RTO notified me that he reported to Snoupy 01 [redacted] that we were in contact. I noticed that the turret with the 50 cal was empty and yelled for someone to get in and hand it. [redacted] jumped in and I directed him to fire at VIC WB265713.

9. [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

10. ORGANIZATION OR ADDRESS [redacted]

11. LAST NAME, FIRST NAME, MIDDLE NAME [redacted]

12. SSN [redacted]

13. GRADE/STATUS [redacted]

14. LOCATION ORGN-E FOR 20040927 1605z

15. FILE NUMBER [redacted]

16. DATE (YYYYMMDD) 20040927

17. TIME 1605z

**SWORN STATEMENT**  
 For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**  
 Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1993 /SSN/.  
 To provide commanders and law enforcement officials with means by which information may be accurately  
 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.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

I MADE MY WAY UP TO VIC 273711 W/3RD SQUAD TO CLEAR THE AREA THAT THE ENEMY ATTACKED FROM.

MADE HIS WAY TOWARDS MY POSITION TO STRIKE A NINE-LINE WHILE TO ASSESS ANY CASUALTIES. I WAS NOTIFIED THAT SFC WELLS HAD BEEN HIT.

FILE. THE P66 AND MADE THEIR WAY TO GENTLY'S OF ROUNDS INTO THE AREA WHEN I NOTICED THAT WE WERE NOT RECEIVING ANYMORE GROUND WANT TO SHOOT IN THE DIRECTION OF OF. FIRED APPROX 50 I COULD NOT DETERMINE EXACTLY WHERE THE CONTACT WAS COMING FROM AND I DID NOT

NOTHING FOLLOWS  
 (DIAGRAM ON PG 3 OF 3)

9. STATEMENT (Continued)

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ 1600 DATED 27 SEPT 04

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

INITIALS OF PERSON MAKING STATEMENT

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

(Typed Name of Person Administering Oath)

(Signature of Person Administering Oath)

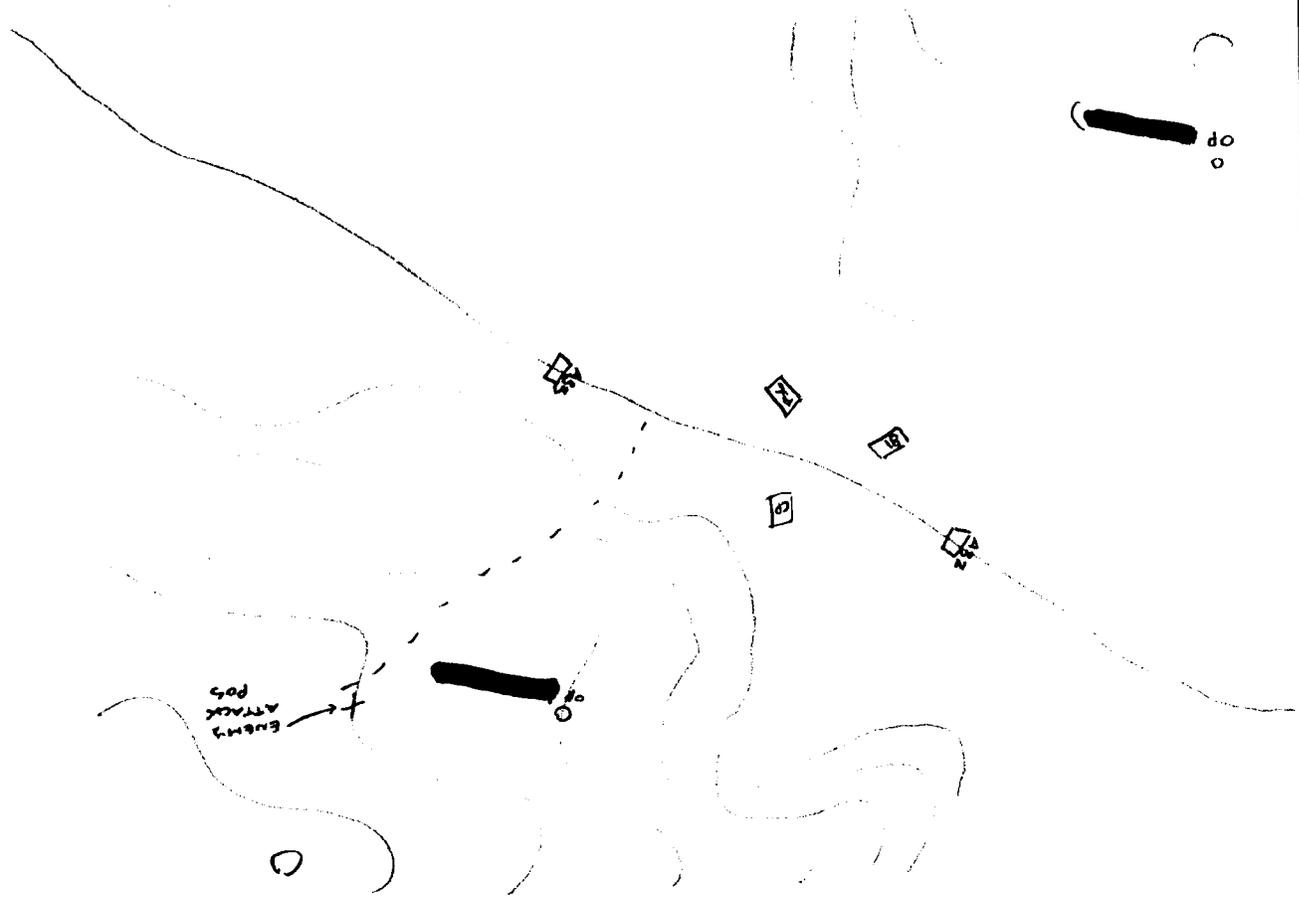
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27<sup>th</sup> day of September, 2004 at F06 OAGDVA-E, BGCMAJISTAN

WITNESSES:

(Signature of Person Making Statement)

AFFIDAVIT I, 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.



9. STATEMENT (Continued)

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 27 SEPT 04

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

10. EXHIBIT 24  
11. INITIALS OF PERSON MAKING STATEMENT  
PAGE 1 OF 2 PAGES

Drive from the North East the road surrounding the area in question was road. As we were parked off of the side of the road (P's) as the right there was hardly enough room to pull off, I did notice that the left side was rather a area accommodating 3 bays. On that side of the road was also a drop off with a dry river bed beneath. The CP was situated to the vehicles (P's truck) rear and toward the NE.

The major truck was to the rear of the P's approx. 100m, the P's had a social mounted, 1st and 3rd sound were opposite the P's truck and 2nd sound took up a hooded position on the road approx. 100-150m N.W. of the P's truck.

At the beginning of re-occupation most of the P's truck were both close or talking. I was sitting in the drivers side talking about re-occupation with [redacted] and [redacted] when ever my right shoulder the smoke trail and sound of the rocket took me by surprise and after a delayed reaction took cover. I got down (though my weapon in the bus after having heard and seen the smaller explosion to my front right and about 50m. across the road.

After I got down I was shaken and started in place for some time before moving to the rear of the bus in a sound. I peered around the back side of the vehicle to full security and after some time noticed that I didn't have my weapon nor did I see or hear any enemy or hostile. Throughout this time I could or can't remember hearing the social open up or any other fire.

I then moved to the drivers side door and noticed that the FO was there with his radio being down, behind the P's etc I pointed out that his long whip that base was broken. I then took my weapon and returned to the rear of the vehicle.

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

8. ORGANIZATION OR ADDRESS [redacted]

5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted]

6. SSN [redacted]

7. GRADE/STATUS [redacted]

1. LOCATION: FO3 Orbu-E

2. DATE (YYYYMMDD): 0004 09 28

3. TIME: 15:16

4. FILE NUMBER [redacted]

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

**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

**SWORN STATEMENT**

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

PRIVACY ACT STATEMENT

I then remember [redacted] approaching the vehicle from my rear. I used to the front of the vehicle again and listened to related messages from the system operator speaker to the p/b. That's when we got the word of man down. I called "medic" and asked the PI if they needed help with the evacuation, instead he sent me up to some high ground with [redacted].

He later called me down and I helped evac. spc. After that we stopped a lilix down from the N.V. along the road and before that the 1st. pointed out a young man to the N.V. of the high ground that [redacted] and I had just secured. I called at him to go away and after attempts called the "top" over to tell him, then he left.

Though the whole ordeal I lost track of time, did not see any enemy, or remember exactly how long I also remember hearing only over explosion.

- possibly follows -

STATEMENT OF [redacted] TAKEN AT Orbu - e DATED 28 Sept 04

PAGES

PAGE

INITIALS OF PERSON MAKING STATEMENT

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

(Typed Name of Person Administering Oath)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

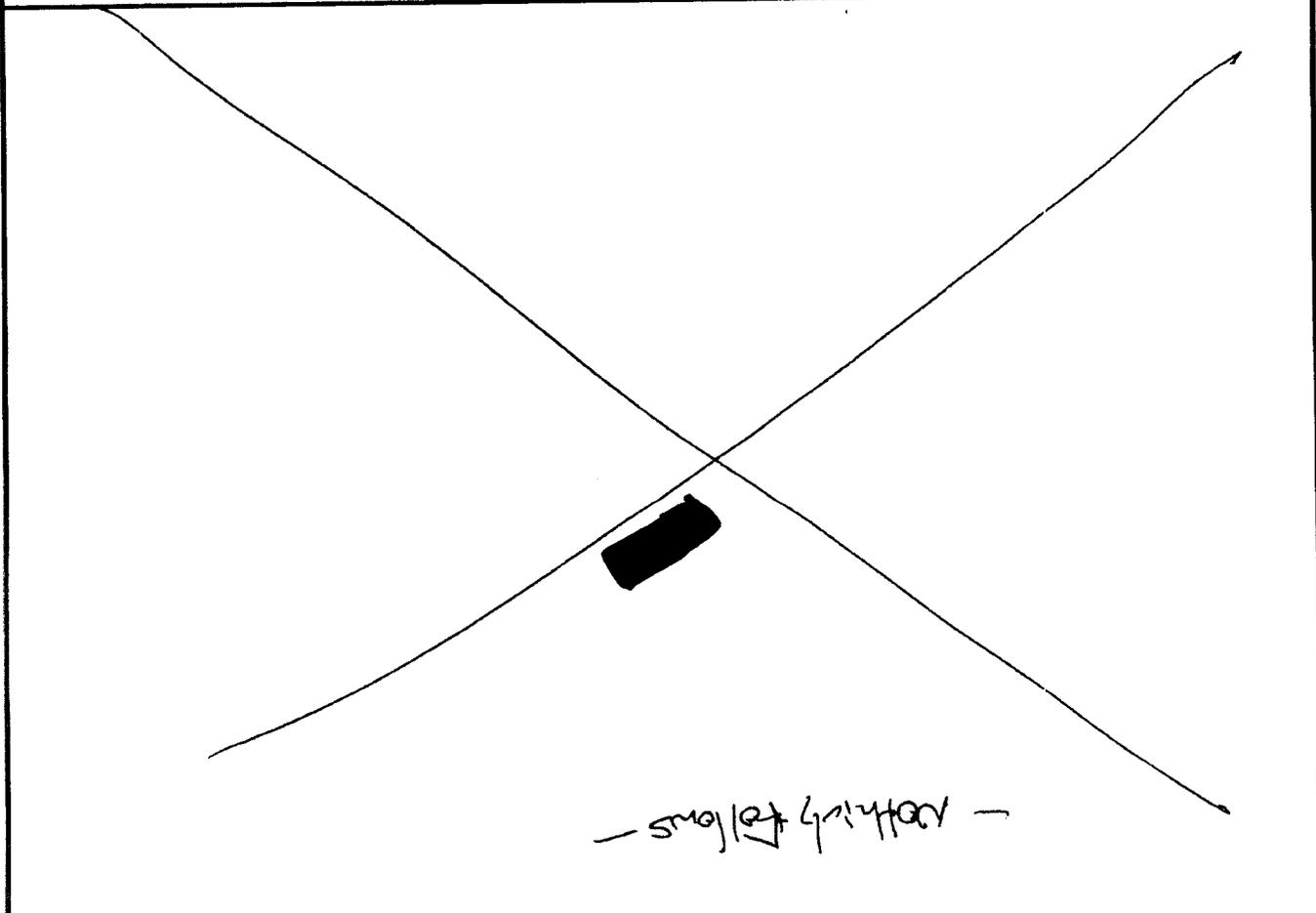
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of September, 2004 at Orbuu-E, AEGHMASTAN

WITNESSES:

(Signature of Person Making Statement)

I, \_\_\_\_\_, 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 INFLUENCE.

AFFIDAVIT



— nothing follows —

9. STATEMENT (Continued)

STATEMENT OF \_\_\_\_\_ TAKEN AT Orbuu-E DATED 28 Sept 04

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

10. EXHIBIT 05  
 11. INITIALS OF PERSON MAKING STATEMENT  
 PAGE 1 OF 3 PAGES

On the morning of the 20th of September 2004, I was located at the PLS vehicle. We were located right in between two mountains, which both had an op set up, and which we had a TCD set up. The PLS vehicle had the fifty cal, PSC vehicle had the two Bravo set up, and the other truck had another ~~PLS~~ set. We were all set up in a triangular form to insure 360°. When the ambush first started I had heard a whistle and was an RPG which landed in the middle of the three vehicles. ~~When~~ I was located at the PLS vehicle and when the firing first started we didn't know where it was coming from. We knew where the op was set up and came to the conclusion that it was that way (right up front of us). We were ~~instructed~~ instructed not to put any rounds in that direction. So we began shooting in the ridge right next to the op. That's when started shooting the fifty cal in that direction, then directly after we had laid rounds the firing had stopped.

9. \_\_\_\_\_, I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

8. ORGANIZATION OR ADDRESS \_\_\_\_\_

5. LAST NAME, FIRST NAME, MIDDLE NAME \_\_\_\_\_  
 6. SSN \_\_\_\_\_

7. GRADE/STATUS \_\_\_\_\_

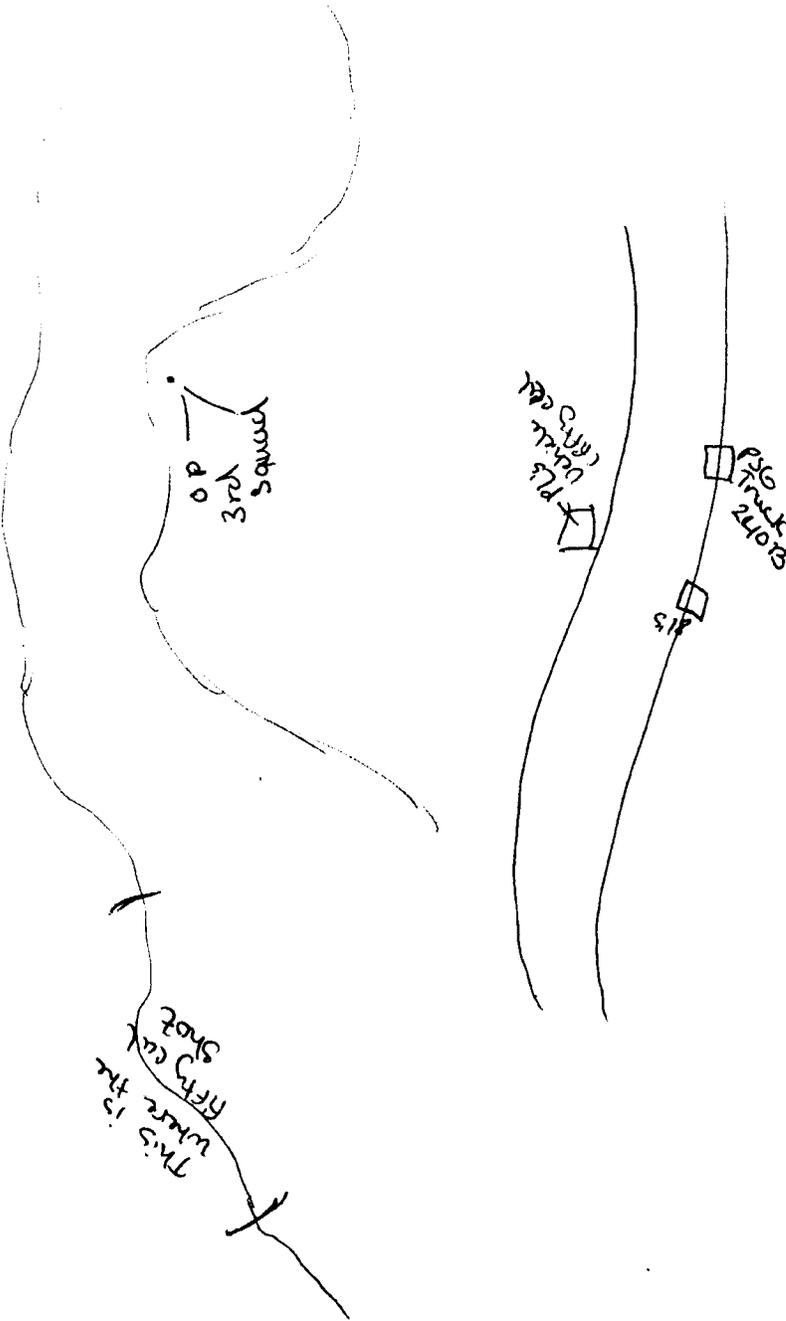
1. LOCATION FOR Oath-  
 2. DATE (YYYYMMDD) 09/20/04  
 3. TIME 1520Z  
 4. FILE NUMBER

DISCLOSURE: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
 ROUTINE USES: To provide commanders and law enforcement officials with means by which information may be accurately  
 DISCLOSURE: 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.

SWORN STATEMENT  
 For use of this form, see AR 190-45; the proponent agency is ODCSOPS  
 PRIVACY ACT STATEMENT

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES



9. STATEMENT (Continued)

STATEMENT OF [REDACTED] TAKEN AT FORT OGDON-D DATED 28 Sept 04

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

INITIALS OF PERSON MAKING STATEMENT

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of September, 2004 at FOB Orgun F, AEGMAUSHW

WITNESSES:

(Signature of Person Making Statement)

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.

AFFIDAVIT

~~Nothing follows~~

9. STATEMENT (Continued)

TAKEN AT FOB Orgun F DATED 28 Sept 04

STATEMENT OF \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.  
 ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

10. EXHIBIT EXHIBIT 26  
 11. INITIALS OF PERSON MAKING STATEMENT  
 PAGE 1 OF 3 PAGES

Nothing Follows

1. when spc wells was kila I was by truck, I myself didn't know the ops came down and went back up. The terrain wasn't a good spot for a top because there were no room for the vehicles to spread out each vehicle was about 10 meters apart except for [redacted] and [redacted] was spread 150 meters for vehicle clock point. Around 0300-3030 I heard a boom and saw the explosion every body got down and started returning fire [redacted] was the ridge line were wells was not was covering our position so I couldn't see [redacted] I did hear somebody yell out friendly on the hill [redacted] talking about wells OP The SO CAL on [redacted] vehicle was starting firing [redacted] the 60MM tube so I shot about 10-15 Ruds, but as soon as the SO CAL went off enemy fire ceased That's when somebody yelled wells is at it didn't take [redacted] the medic long not here then I tried to get to wells. From [redacted] it took about 30-40 mins to get wells out

9. [redacted]  
 8. ORGANIZATION OR ADDRESS [redacted]  
 7. GRADE/STATUS [redacted]  
 6. SSN [redacted]  
 5. LAST NAME FIRST NAME MIDDLE NAME [redacted]  
 4. FILE NUMBER [redacted]  
 3. TIME [redacted]  
 2. DATE (YYYYMMDD) [redacted]  
 1. LOCATION [redacted]

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. DISCLOSE: Disclosure of your social security number is voluntary.

PRIVACY ACT STATEMENT  
 Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
 For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**SWORN STATEMENT**

INITIALS OF PERSON MAKING STATEMENT



Nothing follows

9. STATEMENT (Continued)

STATEMENT OF [REDACTED] TAKEN AT 0. E. DATED 25 sep 04

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

PAGE 3 OF 3 PAGES

INITIALS OF PERSON MAKING STATEMENT

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of September, 2004 at Fort Ord, CA, California

WITNESSES:

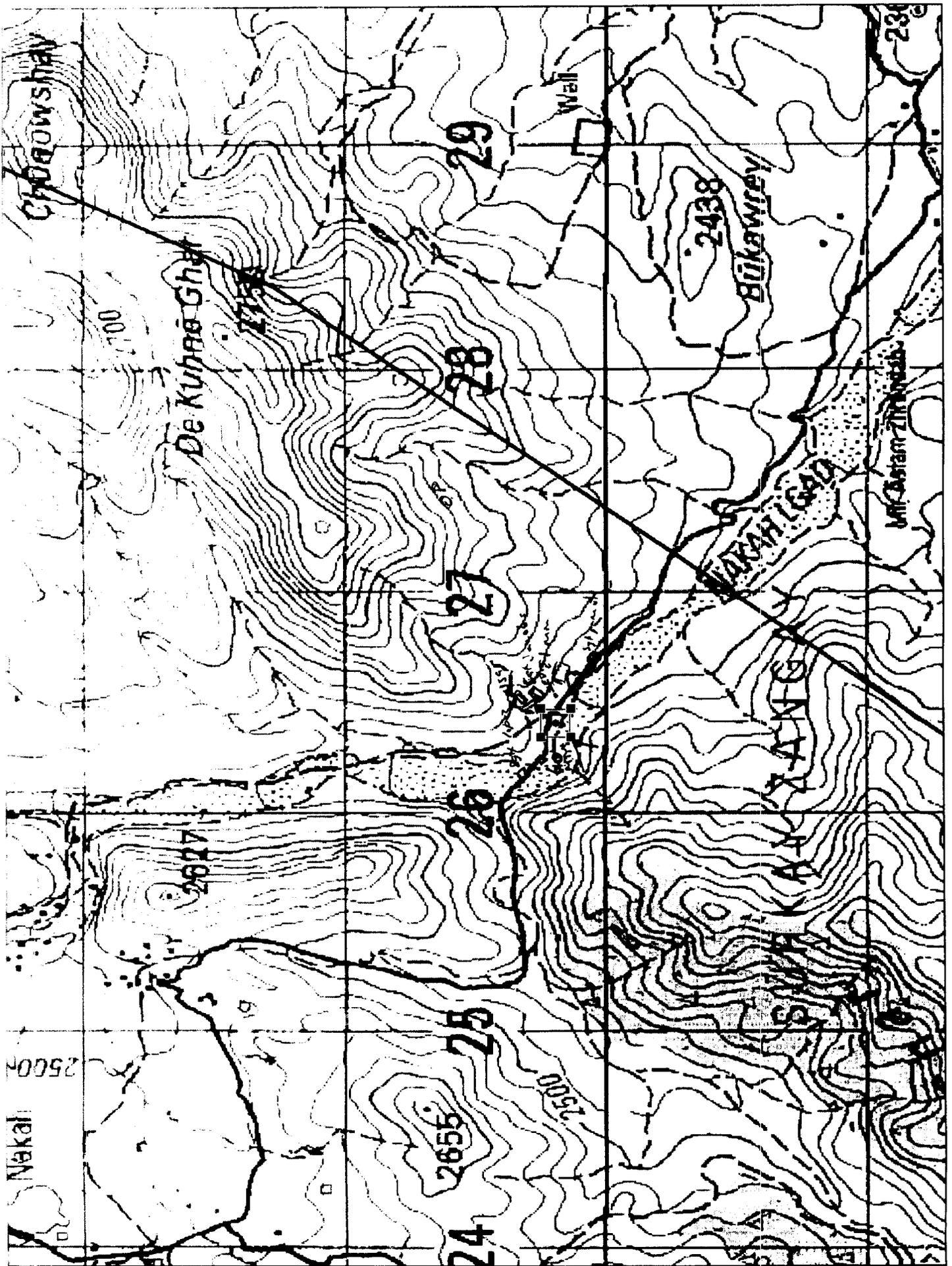
(Signature of Person Making Statement)

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.

STATEMENT OF [REDACTED] TAKEN AT 0-6 DATED 28 Sept 04

9. STATEMENT (Continued)

Nothing follows



Scale 1:50,000. Contour interval 20 meters. Source map 50000/100000

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

PAGE 1 OF 2 PAGES

1. INITIALS OF PERSON MAKING STATEMENT

10. EXHIBIT

Nothing follows

A: It was hard to see from the PL's truck because there was a hill in the way.

Q: Is there anything else you want to add?

A: Yes. The PL told someone to get on the .50 cal and then told us fire at a specific hill.

Q: Did anyone give you direction of fire when the engagement started?

A: To the right side of where we were firing

Q: Where was the hill they were talking about?

A: Negative. I just heard someone yell that there are friendlies in the area on the hill.

Q: Did you hear anyone yell to stop firing because of the OP position?

A: Yes.

Q: Were you firing in the same direction as the .50 Cal ?

A: I think so but I'm not sure. The .50 Cal on the platoon leader's vehicle was firing in that direction also.

Q: Who else was firing in that direction?

A: I was firing over the 60mm tube to the southwest.

Q: According to your statement, you fired 10-15 rounds. What direction were you firing

I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

9.

8. ORGANIZATION OR ADDRESS

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

1. LOCATION  
FOB Oregon-e

2. DATE (YYYYMMDD)

3. TIME

4. FILE NUMBER

DISCLOSURE:

Disclosure of your social security number is voluntary.

ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSNI).

PRIVACY ACT STATEMENT

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

SWORN STATEMENT

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

~~Nothing follows~~

9. STATEMENT (Continued)

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

STATEMENT OF

[REDACTED]

TAKEN AT O-6

DATED

INITIALS OF PERSON MAKING STATEMENT

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

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of SEPT at FOR ORG-5, AEGHANSTAD

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

I 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.

AFFIDAVIT

WITNESSES:

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

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

~~Handwritten signature and scribbles, crossed out with a large X.~~

9. STATEMENT (Continued)

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

**SWORN STATEMENT**  
For use of this form, see AR 190-45; the proponent agency is ODCSOPS

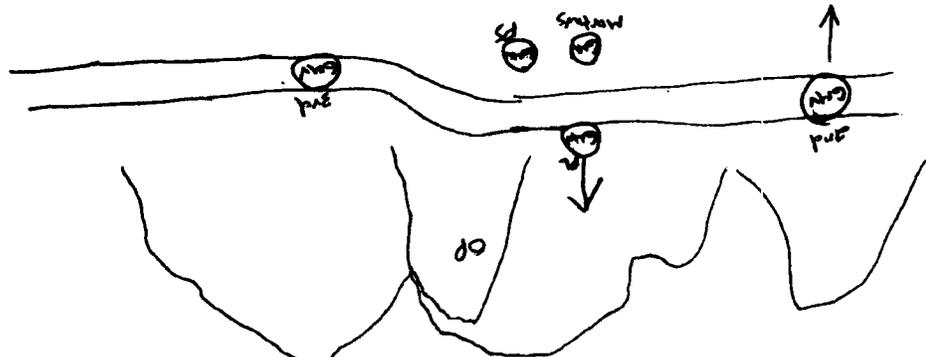
**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**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 Degan-E		
2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER	5. LAST NAME, FIRST NAME, MIDDLE NAME
2004 Sept 27	17:30		
6. SSN	7. GRADE/STATUS	8. ORGANIZATION OR ADDRESS	

9. I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

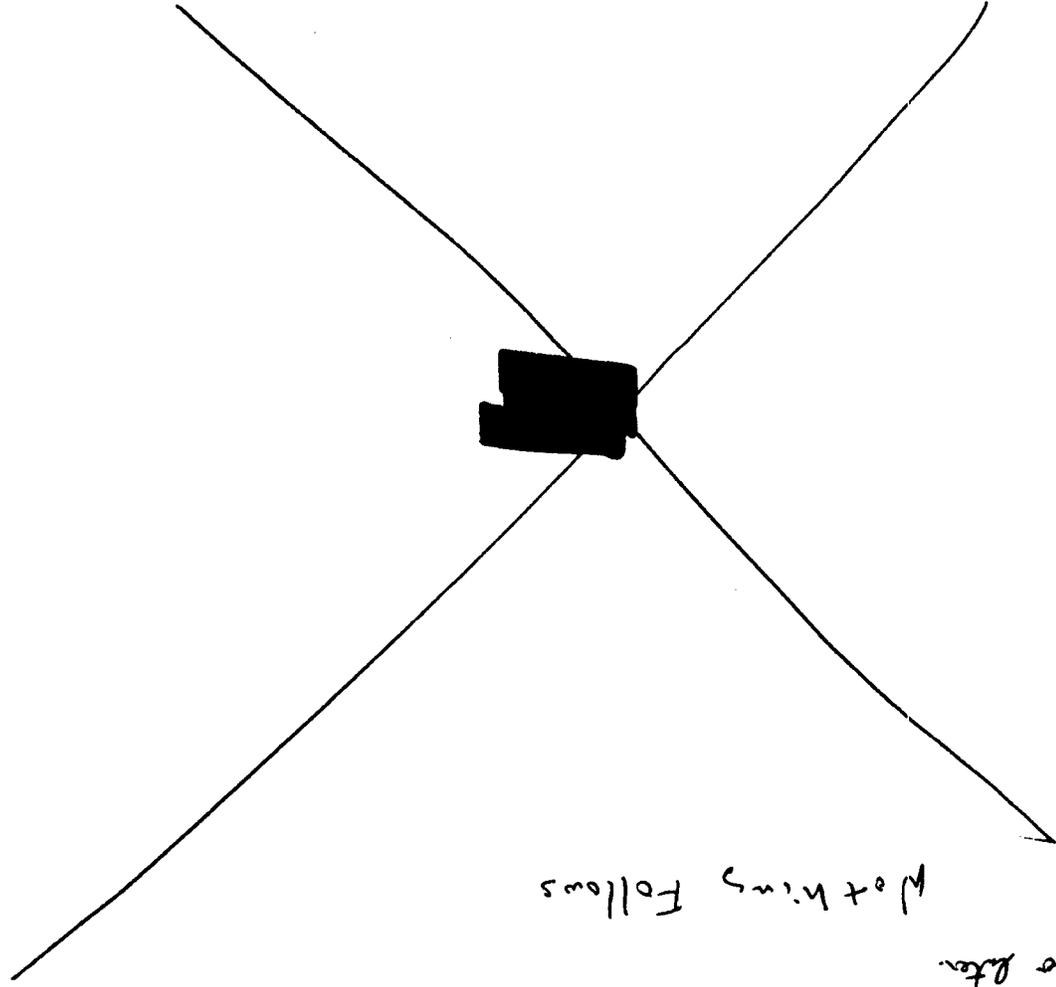
On the evening of 19 Sept. 2004, we, 3rd Plt, finished setting up a TCP in an area commanded by [redacted]. To the best of my recollection I remember me being set up on the following diagram above: (I did not make the configuration of the road to well)



This I said this is a very rough sketch of the terrain. At and [redacted] group drove thru 0300Z on 20 Sept. 2004, a group of [redacted] and [redacted] group drove thru you TCP. A couple of minutes after they passed in when the firing began. I saw near the P13 vehicle after it started. With rounded side on KPG reported, followed by [redacted] At this time I took cover behind the P13 vehicle on the road side. I began to return fire with my M-14 and emptied about half a magazine. When I moved to the side of the vehicle, I asked [redacted] where exactly on the hill the OP was set up. He replied out of this [redacted] called down that he had a view down. The 156 and other PSC

10. EXHIBIT	11. INITIALS	12. DATE
EXHIBIT 27	[redacted]	[redacted]
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT _____ DATED _____"		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.		

[Redacted]



What Wins Follows

started up the hill where the OP was at. I followed them to see if I could help with anything. I went up a little way on road till I saw SPC was keeping face down. I got to within a few meters and started to pull security over the side, because I noticed the man on his way up. I waited for them to assume SPC would and then attacked myself to the Agreed that advanced to clear the area when the attack originated. After we cleared the hilltop, we moved the rest of the PT, about a hour or so later.

9. STATEMENT (Continued)

STATEMENT OF [Redacted] TAKEN AT [Redacted] DATE 27 Sept. 2004

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

INITIALS OF PERSON ADMINISTERING OATH

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

(Typed Name of Person Administering Oath)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of September, 2004 at FBI OKLAHOMA CITY

WITNESSES:

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 COERCION, UNLAWFUL INFLUENCE, OR THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR THREAT OF PUNISHMENT.

AFFIDAVIT

~~Large area of the document is crossed out with a large X.~~

Nothing Follows

9. STATEMENT (Continued)

STATEMENT OF \_\_\_\_\_ TAKEN AT FBI OKLAHOMA CITY DATED 27 Sept, 2004

**SWORN STATEMENT**  
For use of this form, see AR 190-45; the proponent agency is ODCSOPS

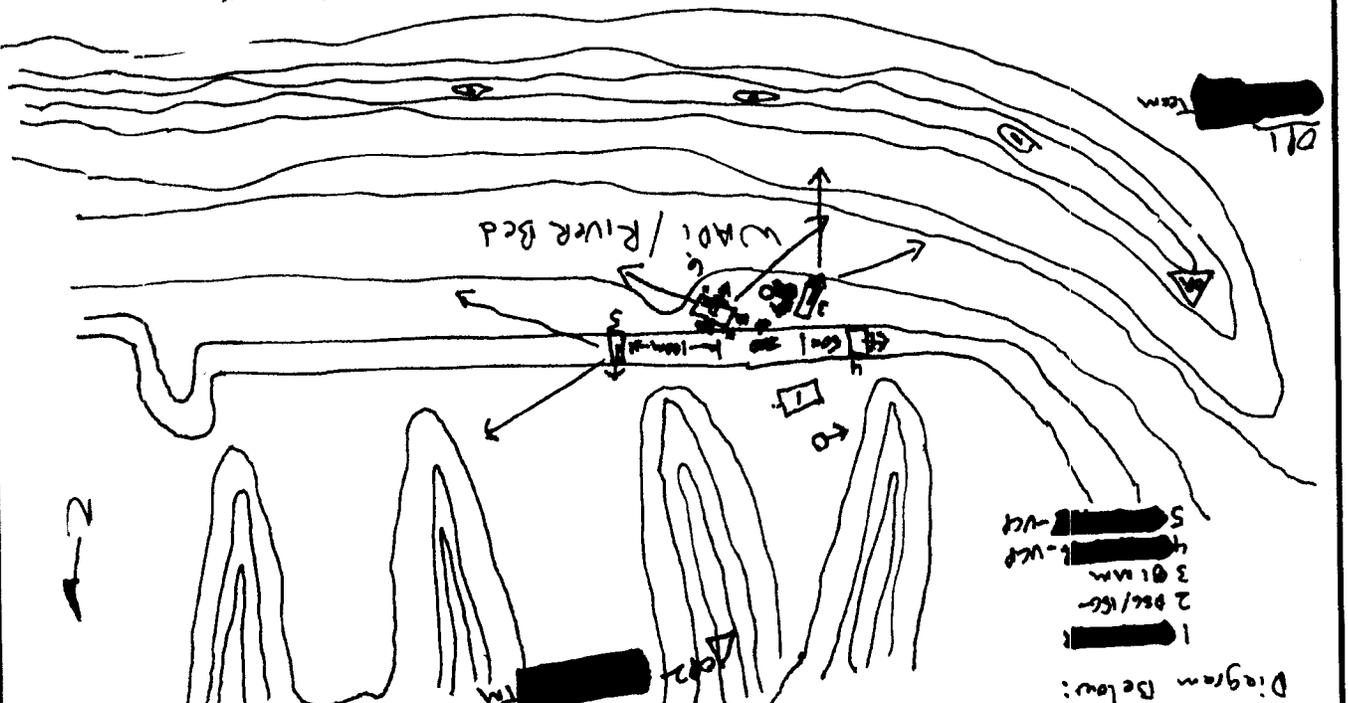
**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**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	Forward Operating Base - Orgun-E		
2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER	5. LAST NAME, FIRST NAME, MIDDLE NAME
2004 09 27	1609 Z		
6. SSN	7. GRADE/STATUS	8. ORGANIZATION OR ADDRESS	9.

1. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 20 SEPT 04 0230Z MY UNIT [REDACTED] (I was the company command rep) was attacked by ACM. We were set up in a trap to prevent any movement into or out of the target area NEKA. The trap was set up at a choke point between two ridge lines VIC GRID W8247702. The disposition of forces was 2 OPs, 2 check points, 2 nodes consisting of 81mm mortar vehicle, PC vehicle with gun and ps/RS vehicle (Cep). See Diagram Below:



6. Position where I will see the enemy and then SR wells.

10. EXHIBIT  
EXHIBIT 31

11. INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_" PAGE 1 OF 3 PAGES

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

During the engagement the 50 Cal MG in my GAV continued to roll security on the southern high ground, the M240 in the eastern most GAV oriented North but failed to fire due to malfunctions. I did not see the Actions of the Personnel at the PL's vehicle or the 81mm tube as my Attention was to the North, I did not see the actions of the western most VCP, but was told they fired the high ground to the west of the OP that was when the enemy broke contact. The PSG. ( ) did not try to watch our fires as the enemy was in close proximity of the OP.

( ) and myself ( ) maneuvered to the Casualty Specialists. The PSG stated "we have an American down" or something to that effect. The PSG was in the bushes halfway between the OP and the eastern most GAV. I started the firing and ceased at this time, I noticed a soldier approximately 5 rounds at the person. I then started scanning back spur. I think the M16 maneuver down the next draw to flank us. I fired a person in a man draws moving along the high ground east hands for the next O.P. AS I started to scan the high ground between the two spurs I saw Nothing as I scanned from left to right starts with the position of the I could get a look at the high ground to the North East. I saw the southern high ground as the smoke cleared. I then maneuvered so the enemy fire was coming from. I saw no muzzle flash from to the left rear of the vehicle so I could get a bearing on where I did not know where the contact was coming from so I moved roughly 20ft from where I was standing. During the initial few moments the IED exploded 10ft from where I was standing and the RPG impacted After the IED rolled through, I was eating breakfast on the hood of my GAV when The AC in initiated the attack with an IED and RPG shortly

9. STATEMENT (Continued)

STATEMENT OF ( ) TAKEN AT FOB Orgun-E DATED 27 Sept 04

INITIALS OF PERSON MAKING STATEMENT

(Authority To Administer Oaths)

(Typed Name of Person Administering Oath)

(Signature of Person Administering Oath)

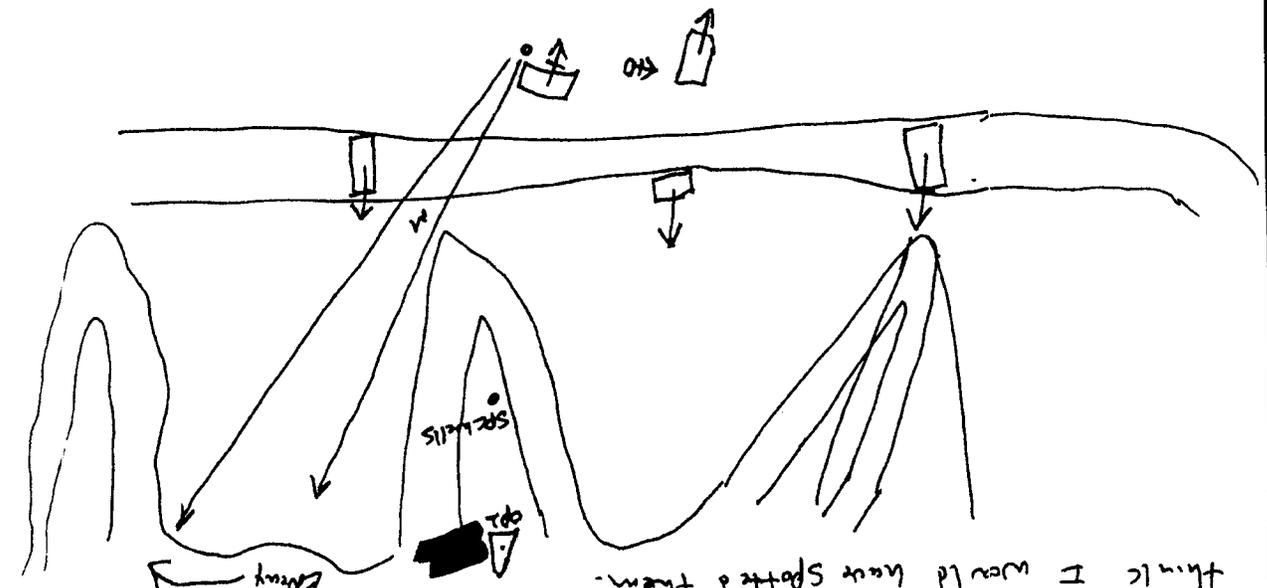
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of September, 2004 at FOG ORGUN-E, AFGHANISTAN

(Signature of Person Making Statement)

I, [redacted], 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.

AFFIDAVIT

The above diagram shows the final orientation of weapons as I know to the best of my ability. OPI stayed on the highground until the Engagement + was complete (highground to the west) they were not involved to my knowledge in the Engagement + This concludes my statement +



The position of the enemy as so as we had the SIA too their left flank, had the enemy not moved across the highground I do not think I would have spotted them.

9. STATEMENT (Continued)

STATEMENT OF [redacted] TAKEN AT FOG ORGUN-E DATED 27 Sept 04