

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION COB Speicher	2. DATE (YYYYMMDD) 2007/08/31	3. TIME 2230	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS (b)(6)	
8. ORGANIZATION OR ADDRESS HHT, 1-73rd CAV, COB Speicher, APO AE 09393			

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

On 29 August 2007 I returned to the patrol base (A69) at 0630. At approximately 0700 the southern guard positions at the patrol base initiated contact with 3 enemy just south of building A72. The patrol base security suppressed the enemy and they broke contact. At approximately 0730 I took a 13 man patrol with Mike 1, 2, 7, and Falcon 6 to clear the palm groves to the west and southwest of our patrol base. Contact was expected so I put Mike 1 and Mike 2 on line in bounding overwatch. We cleared from the patrol base to the west 300m on the north side of RTE Mamba. During the movement I called Sabre 6 with our vertical gridline location to let him know our front line trace so the PB would not put any fires on our location if contact was reinitiated. Once the patrol reached RTE Mamba as it curved north, we halted and then searched for a suitable place to breach the fence that lined the north side of RTE Mamba. We found a place to breach the fence at (b)(2)(HIGH). At approximately 0900, I called Falcon 5 for a position report of friendly locations of C CO and A CO. C CO reported no friendlies west of the north south running canal west of OBJ Rhonda and OBJ Rachel. A Co reported 3 grid locations of friendly units. I recorded the farthest north grid of (b)(2)(HIGH). Once friendly units locations were identified I called Falcon 5 and said we were crossing to the south side of RTE Mamba and clearing online from west to east along PL Alaska to clear the palm groves southwest of A69. We traveled 100-150m south. At approximately 0920, Mike 2 and Falcon 6 ID an enemy car in the palm groves at (b)(2)(HIGH). After clearance and SSE of the vehicle, Mike 2 destroyed the car by setting it on fire. After all elements linked back up and got into a linear formation for bounding overwatch. I gave both Mike 1 and Mike 2 the orders to clear east to the Grid. Contact was still expected we conducted bounding overwatch with Squads abreast. As we moved at 0930 and 0935 we heard two A Co control detonations that were approximately 200-250m south of our location. I called over Squadron Command Net to A CO that "Be advised, my patrol is approximately 200m north of their control detonations." At approximately 1000 Mike 2 ID a hide site in the palm grove (b)(2)(HIGH). Upon clearing the hide site he ID an enemy KIA approximately 40m to the east of the hut. I took Mike 2 and cleared the immediate area around the enemy KIA (b)(2)(HIGH). We found a total of 8 enemy KIA and determined it was from the Hammer strike of 105mm upon infil. During the infil, one of the JTACs gave me the grid to the Hammer strike with 105mm as (b)(2)(HIGH). I called Mike 1 to come to the Hammer strike location and provide additional security so we can conduct SSE and BDA of the area. At this time I was tracking A CO furthest north element was at (b)(2)(HIGH) approximately 150m to our south. While Falcon 6 and I were looking around the area we noticed a destroyed RPG believed to have been destroyed by the 105mm attack. Also, Falcon 6 noticed on one of the dead individuals that his pistol and magazines were removed. We believed enemy that attacked our PB had come through the area and recovered some of the weapons. At approximately 1015, Mike 2 was adjusting the security around the area and reported he heard arabic being spoken 50-100m north of our location. We believed the voices to be enemy personnel. I immediately told Mike 1 and Mike 2 to get online oriented north to clear with bounding overwatch. I linked up with Mike 1, who was the western side of the line, and was preparing to start the clearance when Mike 2 reported he could hear 3 of them and they were 25m directly in front. I told him Mike 1 would be the base of fire if contact was made and for him to clear the objective. Around 1 minute later at approximately 1030, I heard 2-3 shots. I asked for a contact report over the radio. I received no answer. At that moment I heard "Friendlies!", "Cease Fire!", followed by "Medic!" I then ran to M2 location and ID there as a squad from A CO with their acting ISG and Company Medic. Both our medic and A CO medic was already performing aid on SGT Nelson. At that time Falcon 6 and I determined the closest place to MEDDEVAC was LZ Hawk. We called up a MEDDEVAC to Falcon 5 for LZ Hawk with special equipment of a ventilator. I took the Mike 1 element and conducted a route clearance to the patrol base (A69) that was on the way to LZ Hawk. Upon arriving at the patrol base I linked up with Saber 6 and he told me Saber 5 had secured the LZ. Saber 6 with Falcon 9 took additional personnel to help move the casualty to the LZ back down the route Mike 1 and I took. At the south side of the intersection at (b)(2)(HIGH) they ID a command wire IED. The casualty route was then changed to go straight through the palm grove to RTE Mamba and then east to the patrol base. As soon as the element moving the casualty come out onto RTE Mamba. Personnel carry the casualty switched out and continued to move toward LZ Hawk. We arrived at the field 50m south of LZ Hawk and identified it as suitable for a UH-60 to land. The MEDDEVAC aircraft was already circling overhead. He landed and SGT Nelson (M2) was loaded on the aircraft. SGT Nelson's status was expectant when he was loaded on to the aircraft. The Mike elements retained all equipment from SGT Nelson and upon return to the patrol base. Once full security was reestablished everyone involved was instructed to write down all events and information they remembered and turn it into the Squadron Executive Officer.

Nothing Follows

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

9. STATEMENT (Continued)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

(b)(6)
ent)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of September, 2007 at

ORGANIZATION OR ADDRESS

(b)(6)
(Signature of Person Administering Oath)

(b)(6)

(Typed Name of Person Administering Oath)

Commissioned Officer

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 2 PAGES

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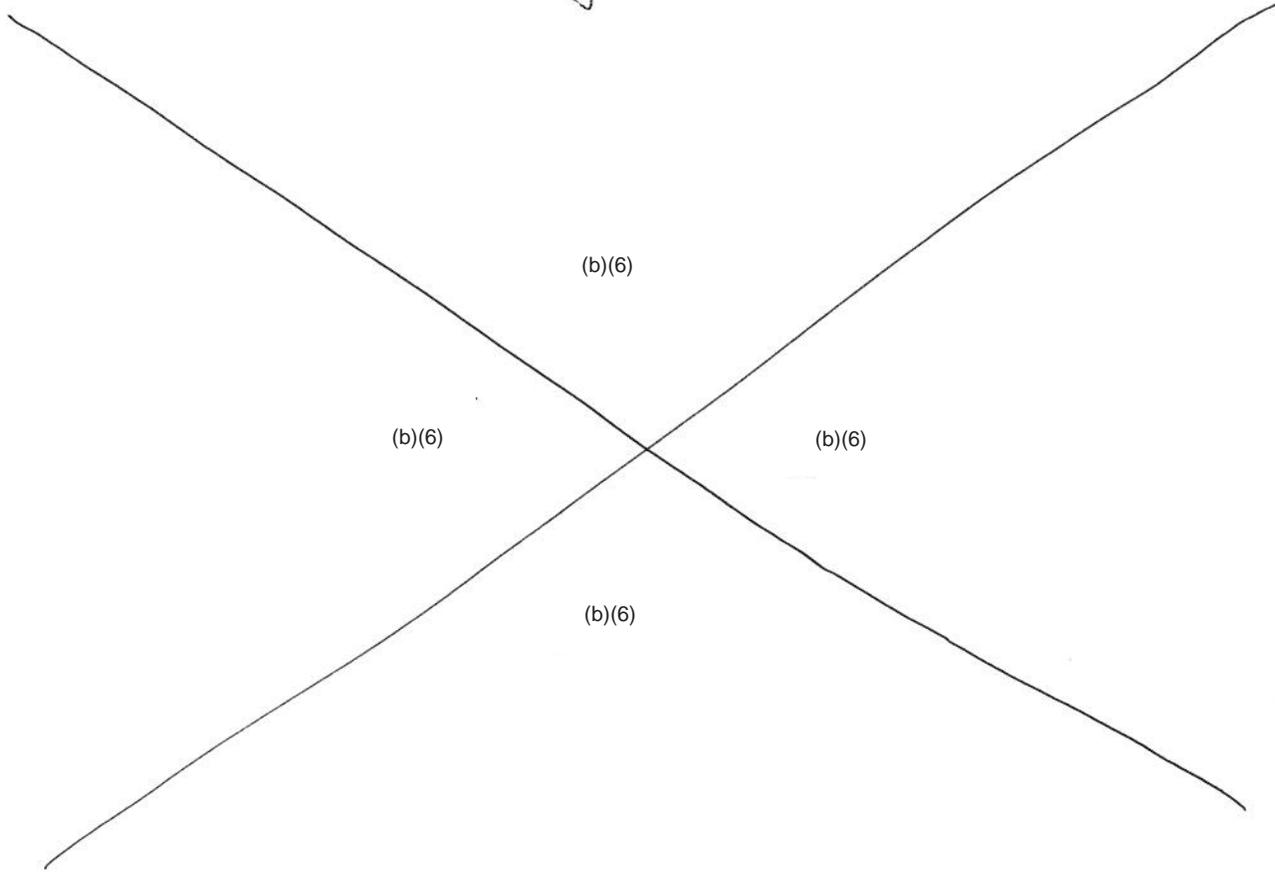
1. LOCATION COB Speicher	2. DATE (YYYYMMDD) 2007/09/03	3. TIME 0415	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS (b)(6)	
8. ORGANIZATION OR ADDRESS HHT, 1-73rd CAV, COB Speicher, APO AE 09393			

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

Question: What net did you use to report crossing Rte Mamba?
Answer: I used Squadron Command Net to report crossing Rte Mamba.

Question: Did you use the same net to report your position north of the controlled detonation?
Answer: I called A CO over Squadron Command Net.

Nothing Follows



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(b)(6)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3rd day of September, 2007 at COB Speicher

(b)(6)

(Signature of Person Administering Oath)

(b)(6)

(Typed Name of Person Administering Oath)

Commissioned Officer (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

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

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

1. LOCATION COB Speicher	2. DATE (YYYYMMDD) 2007/08/31	3. TIME 2127(Local)	4. FILE NUMBER
5. LAST NAME FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS (b)(6)	

8. ORGANIZATION OR ADDRESS
Task Force Falcon, COB Speicher, APO AE 09393

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

On the morning of 29 August 2007 in vicinity of (b)(2)(HIGH) our platoon, the 81mm Mortar Platoon, and the Assault Command Post (ACP) were conducting patrol base operations when it came under attack by enemy forces resulting in a large volume of returned gunfire. Our platoon was ordered to organize a patrol to maneuver and flank the enemy force south of our location. We left the patrol base with 12 total pax. Included in the patrol was Falcon, Mike 6, Mike 7, Mike 1 (b)(6) Mike 2(Sgt Nelson), and our Medic (b)(6). We conducted a movement to contact and utilized a bounding overwatch type formation as enemy contact was expected due to the previous attack on our location. The patrol then moved west from the afore mentioned location approximately 300 meters. We paused, as our platoon leader, (b)(6) confirmed friendly element locations south of our location, which was south of Route Mamba as we were nearing an adjacent unit boundary. The patrol then proceeded south of Route Mamba. Continuing south the patrol encountered an enemy vehicle which was abandoned. There, one of the gun squads on patrol moved up and conducted sensitive site exploitation (SSE) and burned the vehicle after gathering all available intelligence while the other element (where I was located at the time) remained in overwatch. I couldn't see the vehicle and I was approximately 75-100 meters away. My element moved further south and linked up with the squad that had just linked conducted SSE. When we linked up, I moved into Sgt. Nelson's squad to level out the manpower. At this point we moved east in an attempt to flank what enemy force we had been in contact with earlier. The time past at this point was approximately 60-90 minutes. The elements in the patrol were moving slow, and close, due to the extreme terrain and limited visibility. At times, it wasn't even possible to see another soldier 10 meters away. Continuing east, we identified and cleared 2-4 small huts/ enemy hide sites in the area. Still moving east in a bounding manner, we had paused when Sgt. Nelson noticed a couple of dead bodies lying in the palm groves. The patrol moved up, secured the area, and began SSE. I was leading SSE, taking photographs of the area. It wasn't long that we deduced and then confirmed that this was the site of an AC-130 engagement which took place the night prior on our infiltration of the area. At some point, someone reported hearing voices just north of our position. I listened, and noticed the voices as well. As I was still conducting SSE, the rest of the element less the medic and myself, were preparing to maneuver on the voices. (I was unaware of their movements as I was pre-occupied with photographing dead bodies and destroyed enemy equipment.) I heard some radio traffic which was a whisper over our platoon frequency, and noticed what was going on and moved up to see Mike 6, and then took a position near Mike 1 continuing to listen. I then heard several shots, my best guess at the time was about 7. Once I heard the shots, I immediately heard the yell for, "Medic!", and the other friendly element just north of us yell, "Eagle!" and "Friendlies!" signaling us that it was American Forces. I moved to the site and saw both my medic, and another medic Sgt. Surmi begin working on Sgt Nelson who had received a gunshot wound to the chest, and a gunshot wound to the throat. I watched for a few minutes assessing how bad it was in my own mind, quickly realizing that there was no enemy force in the area and that Sgt. Nelson was shot by an the other patrol. I then began to locate the rest of the force, move them in a security posture, and help organize a patrol that was to conduct a route clearance to the extraction PZ. I noted the element leave east attempting to hit a road and move north to our patrol base. Mike 6 was the leader of that element as I stayed with the casualty, Sgt Nelson's element, and elements of Alpha Company.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ V AT _____ DATED _____"

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

STATEMENT OF (b)(6) TAKEN AT 2127 DATED 2007/08/31

9. STATEMENT (Continued)

I watched mostly as the medics attempted to produce some type of airway in the casualty. Two medics were working on Sgt Nelson the entire time. Once the medics did their job, mostly establishing an airway and trying to stabilize the casualty in is condition from what I assume, we began to exfil the casualty. We did not take the route Mike 6 went on. Instead we moved north. We continued this bearing past a building that I gathered from the ambient noise and surroundings was a cache and being ready to be reduced by elements of Alpha Company. We stopped approximately 25-50 meters past this building as the medics need to give additional aid to the casualty. I don't think Sgt Nelson was breathing at this point. The medics continued to work and I recieved a call from Mike 6 asking us where we were and I explained our location. He then shifted his route clearance to Route Mamba, the road we would have ran into. He, Mike 6, had asked our status and I explained, "We have begun evacuating the casualty, but we are at a halt to give the casualty additional medical attention." I repeated that one more time as I heard Falcon 6 direct one of the medics to check his pulse. I don't recall the exact time. We continued to evacuate the casualty to the north and found Route Mamba where we moved east to our patrol base. We moved past the patrol base to the north to LZ Hawk, our infil LZ. The medevac aircraft were already circling over head and I flagged them down with a VS-5 panel and landed them just south of the actual LZ. We loaded Sgt Nelson on the aircraft and began our movement back to the patrol base. Back at the patrol base I grounded my equipment, and gathered all of Sgt. Nelsons. I immediately took pictures of his IBA, ACH, Weapon, and modified ACU top that he was wearing. Taking the pictures I found that a round had entered through the magazine of his weapon, exited, and had hit a magazine on his equipment. I noticed some type of tear and took a picture of it on the mid right side of the IBA. I photographed several pictures of the part of his IBA where a round had traveled through all of it (it didn't seem to have hit the plate) and struck Sgt Nelson in the chest and exited. That round was lodged in his E-SAPI plate. I took a picture of that as well. Several other pictures were taken of the unaffected equipment of Sgt. Nelson. I gave the pictures to SSG Jett who placed them on the ACP's toughbook. To my knowledge, those pictures are still on that toughbook, and the computer in our platoon C.P. Upon return from the operation, I reviewed some of Sgt Nelson equipment and noticed that the "type of tear" that I had noticed was indeed another bullet that had struck the IBA E-SAPI plate, penetrated some, and was stopped. All of Sgt Nelson's equipment that was used during the patrol or operation that is affected and would be needed in the investigation is still currently in my posession at the time of this statement.

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

(b)(6)

(b)(6)

(b)(6)

(b)(6)

INITIALS OF PERSON MAKING STATE

(b)(6)

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

(b)(6)

AFFIDAVIT

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

(b)(6) ing Statement)

WITNESSES:

person authorized by law to administer oaths, this 1 day of Sept 07 at

ORGANIZATION OR ADDRESS

(b)(6) (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(6) (Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

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

1. LOCATION COB Speicher	2. DATE (YYYYMMDD) 2007/09/03	3. TIME 0502(Local)	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS (b)(6)	
8. ORGANIZATION OR ADDRESS Task Force Falcon, COB Speicher, APO AE 09393			

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

The purpose of this statement is to officially state and describe the pictures that I took on 29 Aug 2007 and on 3 Sep 2007. The dates of the pictures are shown on the file themselves, or if you read the properties. All pictures are labeled with a number followed by a dash and a description. Explanation to pictures descriptions: The reference "ballistic panels" refers to the portion(s) of the IBA where there is just the soft armor, and no E-SAPI plate. E-SAPI plate refers to both plates. All portions of the IBA are described by their most distinguishable feature, for example, innermost flap with hook tab. Additionally, the descriptions of the photographs are given as you look at the IBA. There are a total of four bullets that I have found that had struck the soldier with a possibility of five. I will describe each bullet and give the corresponding number of related pictures. I will start from bottom to top, midsection (waist) to neck. Bullet one had struck the soldiers magazine and went in and out as shown in pictures 13-15, 23, 25, 27, 28, 30, 32, and 59. Bullet two had struck the lower right portion of the soldiers IBA hitting a magazine pouch and seemingly cooking off several rounds in the magazine well, as shown in pictures 1-2, 33-36, 57, and 59. There is no visual evidence that this round had struck the E-SAPI plate. There is strong evidence showing that bullets one and two are in fact one bullet. Having seeing picture 59, if the soldier were at the low ready, the same bullet could have possible hit the soldiers magazine inserted in the weapon as shown in pictures 25 and 27, passed through the magazine inserted in the weapon as seen in pictures, 13-15, 28, 30, and 32, struck the lower right portion of the IBA as shown in pictures 2, 34-36, pass through the magazine in the pouch as seen in pictures 35 and 57, and slowed to a stop. The bullet did pass through this magazine and seemingly stopped before hitting the outermost flap with hook tab. Bullet three hit the upper right portion of the IBA as shown in pictures 3, 37, 38, and 49 and stopped inside the E-SAPI plate as shown in picture 50. Bullet four hit the top portion of the IBA in the front as shown in pictures 12, 39, and passed through the opposing side as shown in pictures 11 and 40. The bullet continued traveling through and hit the innermost flap as shown in pictures 9-10, and 42, had passed through as shown in pictures 8, and 43-47. At this point, the bullet entered the soldier wounding him. The bullet passed through the soldier at an angle that seems to be, as you would wear an IBA, from front left, to rear right exiting the soldier at his right clavicle (right rear back) and struck the IBA ballistic panel as shown in pictures 4-7, 51 and 54. The actual bullet is visible in earlier pictures taken on 29 Aug 2007 and not visible in pictures taken on 3 Sep 2007 most likely due to falling out of the IBA during transport of the soldier's equipment. The back E-SAPI plate has no damage on the portion that is towards the soldier's body as shown in pictures 52 and 53. Bullet five had struck the soldier in the throat. All pictures were photographed by me, (b)(6) and all equipment has been in my possession since the incident. No intentional tampering has occurred.

End of Statement-----



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

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9. STATEMENT (Continued)

(b)(6)

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(b)(6)

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ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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(b)(6)

(Signature of Person Administering Oath)

(b)(6)

(Typed Name of Person Administering Oath)

Commissioned officer
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

STATEMENT OF

(b)(6)

TAKEN AT 2359

DATED 2007/08/31

9. STATEMENT (Continued)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

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(b)(6)

(Signature of Person Making Statement)

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(b)(6)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(6)

(Typed Name of Person Administering Oath)

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8. ORGANIZATION OR ADDRESS Task Force Falcon, COB Speicher, APO AE 09393			

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

On 29 August 2007, we conducted a movement to contact hoping to outflank a group of insurgents who attacked the patrol base. We moved in a northern direction with SGT Nelson leading my squads movement. After bounding for a little over 300m we found with (b)(6) a vehicle with relay stations and cellphones. A grid was given to our position and the vehicle was destroyed along with its contents. We then waited for the rest of our element to come to our position. From that point we moved in a generally eastern direction for another 200 to 300m. We then came upon a site that had AQIZ bodies that had been fired on the night before as doc Higginbotham had told me while out on the patrol. Roughly 25m north of this site was a dirt road running e/w. I was told to pull security on a building across a road to our east. I did so for about 10 minutes until Sgt Nelson came and got on line telling me that there were enemy ahead of us. The enemy were about 25m ahead and after a SLLS stop we proceeded ahead with (b)(6) (b)(6) to SGT Nelson's immediate left and I to his immediate right. I was in a deep cannal giving me roughly half my body defilade. We moved ahead at SGT Nelson's order and upon coming to where we believed the enemy to be we had our weapons at the high ready waiting for movement for about 5 to 10 seconds when shots rang out. The alleged enemy was to our immediate left and SGT Nelson went down. From my angle I thought he went into the prone. I returned fire with 2 shots into the heavy underbrush of this area, when the call of medic came from (b)(6). Seconds after that the suspected enemy identified themselves as friendly with the call of eagle. Someone asked who was wounded and (b)(6) said SGT Nelson. I then went to SGT Nelson and was attempting buddy aid till the medics arived maybe 30 seconds later. I then was of no use so I pulled security to the rear. I saw that SGT Nelson had taken a round to the throat and to the chest. Once his IBA was removed I could clearly see the chest wound. And then I was told by SSG Hanes to get 1 gun to clear the route for removal and evac of SGT Nelson.

-----END STATEMENT-----

(b)(6)

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

(b)(6)

10. EXHIBIT	11. (b)(6)	MAKING STATEMENT	PAGE 1 OF 2 PAGES
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(b)(6)

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

(b)(6)

(Signature of Person Making Statement)

WITNESSES.

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of Sept 07 at

(b)(6)

(Signature of Person Administering Oath)

(b)(6)

(Type Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION COB Speicher	2. DATE (YYYYMMDD) 2007/08/29	3. TIME 2245(Local)	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS (b)(6)	
8. ORGANIZATION OR ADDRESS Task Force Falcon, COB Speicher, APO AE 09393			

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

Within hours of setting up our patrol base during a combat operation we were attacked from the south by small arms fire. We immediately sent out a patrol to bound forward and flush the enemy out in the open. While bounding our patrol came across eight armed Iraqi bodies. I was pulling security while other members of our patrol were taking pictures of the bodies and others were searching the immediate area. I had heard some voices which sounded to be Arabic coming from the North about 200 meters and so I reported to my squad leader Sgt. Nelson. Sgt Nelson immediately took action and had our whole patrol on line and ready to eliminate the threat. Sgt Nelson was to my right about 5 meters and the SCO to my left also about 5 meters taking cover and listening for the possible enemy 200 meters out. Sgt Nelson hand signalled to me that he could see two figures walking toward us about 25 meters ahead. Sgt Nelson made the decision to creep closer and had signalled to his right and left to move forward as quietly as possible. We moved 5 meters up and took a knee. I could see the two MAMs still ahead behind some bushes but they had stopped moving. The MAMs were roughly 15 meters in front of us but we could not see very well due to the thickness of the brush. We couldn't see if they were armed enemy Iraqies or friendlies directly in front of us. Sgt Nelson looked at me when two or three shots soared through the bushes and Sgt Nelson collapsed to the ground. Smoke was coming from his body and there were some more shots exchanged from our patrol in the direction of the MAMs we spotted. I yelled at the top of my lungs "Medic", and he immediately ran forward to Sgt. Nelson taking cover behind a small tree next to him. About the same time I heard Friendlies call out and I lowered my weapon and began to inspect Sgt Nelson as he laid their looking at me. A few seconds later our medic was beside me and we began to take his body armor off. I spotted two wounds one in the center of his neck and the other in his upper right chest. The other medic from the friendly patrol that we took gun fire from, was their within seconds to help Sgt. Nelson also. I held Sgt Nelson's head and told him that every thing was going to be okay and that it wasn't that bad. I continued to hold his head as the two medics checked for an exit wound. Sgt Nelson couldn't talk very well but he kept saying "it hurts, it hurts". Sgt. Nelsons last words were "Help me Doc". We placed gauze on his wounds and plastic wrap around his chest keeping his arms to his side. Sgt. Nelson had trouble breathing and eventually stopped. The medics were able to get him breathing again. He stopped breathing and was resuscitated about 3-4 times as the medics performed First Aid. We placed him on the litter and as four men carried him I was pumping his lungs, 1 pump every 5 seconds. this continued until we got about half way to the Medivac site. We had problems because Sgt Nelsons lungs were filled with blood. I was still talking to Sgt Nelson telling him that it wasn't that bad and to hang in their, everything was going to be fine. This is when I noticed his head had turned purple and we continued to make our way to the chopper. I believe the medics did everything in their power to keep him alive and breathing. They knew exactly what to do and never hesitated the entire time I was with them.

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

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

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

9. STATEMENT (Continued)

(b)(6)

AFFIDAVIT

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(b)(6)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 01 day of Sept 07 at

ORGANIZATION OR ADDRESS

(b)(6) (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(6) (Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

1. LOCATION COB Speicher	2. DATE (YYYYMMDD) 2007/08/31	3. TIME 2228(Local)	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS (b)(6)	
8. ORGANIZATION OR ADDRESS Task Force Falcon, COB Speicher, APO AE 09393			

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

On the morning of 29 August 2007 at around 0800 hours at our patrol base, the ACP (Assult Command Post) and my platoon the 81mm Mortars, were attacked by enemy forces. We were ordered to send out a patrol to flank the enemy that were located south of our patrol base. Our patrol consisted of 2 squads from the 81mm mortar platoon which were Mike 6 (b)(6) Mike 7 (b)(6) (b)(6) (b)(6), FO (b)(6), and me (b)(6). We headed west for approx. 300 meters then crossed over Route Mamba. Once across Route Mamba we got on line and headed east to try and flank the enemy. While moving we came across 8 dead enemy that Hammer killed shortly after infil which was approx. 6 hours earlier. Mike 7 and I started SSE on the 8 dead enemy while the rest of the element pulled security. While doing SSE the security element heard someone talking about 50 meters to out north. Mike 7 and I were informed about the matter and told to hurry and finish up so we can move in closer to investigate. Mike 1 (b)(6) and Mike 2(SGT. Nelson) got on line with there squads, the SCO also got online with Mike 2. Mike 6, Mike 7, FO, and I stayed in back of the two lines while they bounded forward. Mike 2 (Sgt. Nelson) and his squad moved first. Due to very thick vegetation they quickly went out of my view. Soon after they were out of my view i heard gun shoots. Following the gun shoots i heard someone scream Eagle then Medic. I quickly moved to where i heard the screams coming from. Once arriving to there location i observed one soldier lying on his side while two soldiers standing beside him. I quickly rolled the soldier over and noticed that it was SGT. Nelson. I immediately noticed one GSW (gun shoot wound) to his throat. It was a small hole with very little bleeding so i covered it with a piece of tape. SGT. Nelson was able to speak but with difficulty and told me that he was having trouble breathing. At this time SGT. Surmi (Alpha Companies Medic) arrived on scene. With him being the senior medic on scene he now took charge. I explained what the injuries were and we continued searching for further injuries. We cut his IBA off and imediately noticed another GSW mid clavicular in his upper right chest. I placed a Asherman chest seal over the GSW on his upper right chest. We then rolled SGT. Nelson over to examine his back for exit wounds and noticed one on his upper right shoulder about the size of a quater. I placed another Asherman chest seal over the exit wound also. We continued to look for a second exit wound but were unable to find one. (b)(6) then used celaphane to wrap around his upper torso to cover both the entry and exit wounds of the GSW to the upper right side of his chest. Once that was done SGT. Nelson was still conscious and breathing but with difficulty. I then placed a NPA (Nasopharyngeal Airway) into his right nostril and taped it down to keep it secure and help him with his breathing. While i was placing the NPA into his nostril (b)(6) was wrapping an ace wrap over the celaphane to keep it in place. We then place SGT. Nelson onto a skedco and prepared him for transfer to the evacuation site which was about 300 meters away. SGT. Nelsons started gasping for air at this time and became unconscious. (b)(6) immediately placed a combitube down his throat to restore his airway. I then placed a BVM (Bag Valve Mask) onto the combitube and started recesation. After I got about 5 good breaths into his lungs I instructed (b)(6) to continue while (b)(6) and I packed our bags. Once our bags were packed we started moving SGT. Nelson to the evacuation site. About 50 meters into the trip back i noticed blood coming up the combitube and it was getting very difficult to push air into his lungs so I instructed the patrol to stop. Once stopped (b)(6) and I checked for a tension pheumo thorax. SGT. Nelson's right chest was rised and he was starting to get tracial deveation which are to signs of tension pheumo thorax. (b)(6) instructed me to do chest needle decompression while he started a

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

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STATEMENT OF (b)(6) TAKEN AT 2228 DATED 2007/08/31

9. STATEMENT (Continued)

cricotyrotomy. I inserted a 14 gauge needle in the second intracostal space and noticed that very little air coming out of the cathion so i repositioned and tried once more with the same outcome as the first. At this time (b)(6) was finishing the cricothyrotomy. Once successfully in we continued with the BVM recesatation and contiued on to evacuation site. On the way (b)(6) (b)(6) and I keep monitoring SGT. Nelsons vitals which were getting weaker and weaked as the minutes went by. We didn't stop again because time was of the essence now. Upon arriving to the evacuation site the evac. helicopter was just arriving and landed. We loaded SGT. Nelson onto the UH-60 and informed the flight medic of the wounds and treatment that was given to SGT. Nelson. The UH-60 then took of carring SGT. Nelson in it. We all then returned to the patrol base and continued on with our mission.

(b)(6)

(b)(6)

(b)(6)

(b)(6)

INITIALS OF (b)(6) STATEMENT

STATEMENT OF

(b)(6)

TAKEN AT 2228

DATED 2007/08/31

9. STATEMENT (Continued)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

FIDAVIT

(b)(6)

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 INFLUENCE.

(b)(6)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of Sept, 07

at

(b)(6)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(6)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF I

(b)(6)

MENT