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)*	3. TIME	4. FILE NUMBER
(b)(1) IRAQ	2005 10 13	1600	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(6)	(b)(6)	E-4

8. ORGANIZATION OR ADDRESS
Acc 1ST BSTB 1ST BDE 10TH MTN

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

WE WERE ON SCENE PERFORMING DUTIES AS EOD ESCORT AT (b)(1) WHEN I HEARD ALOT OF YELLING. I LOOKED AND SAW SPC (b)(6) AND SGT (b)(6) SHOOTING ~~AT~~ (b)(6) ~~DSTD~~ INCHES AND USING THE HAND SIGNAL FOR STOP WHILE THEY YELLED AT THE MAN WALKING TOWARDS THE BUFFALO. HE KEPT WALKING TOWARDS US AFTER HE IGNORED ORDERS TO STOP. SGT (b)(6) FIRED A WARNING SHOT AS HE SHOWED INTENT TO USE HIS WEAPON, THE WARNING SHOT WAS FIRED AT HE WAS ABOUT 35M, THE BUFFALO WAS BLASTING ITS AIR HORN PRIOR TO THE WARNING SHOT. AFTER THE WARNING SHOT THE MAN KEPT WALKING TOWARDS US AND SPC (b)(6) FIRED ON HIM, HITTING HIM IN THE ABDOMEN AT 29M. PFC (b)(6) SPC (b)(6) AND SGT (b)(6) RAN OUT TO GET HIM, THEY BROUGHT HIM BACK AND PFC (b)(6) WORKED ON HIM UNTIL HE (THE IRAQI) WAS TAKEN AWAY BY THE IP'S. END OF STATEMENT

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

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

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.

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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)(1)	2. DATE *(YYYYMMDD)* 20050103	3. TIME 1600	4. FILE NUMBER
5. LAST, FIRST, MIDDLE NAME (b)(6)	6. SSN (b)(6)		7. GRADE/STATUS E-3 PFC
8. ORGANIZATION OR ADDRESS A Co 1st BSTB			

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

We were pulling security for EOD at (b)(6) & (b)(6). I was facing the rear and heard some people yelling at someone to "inchee". I heard 3 or 4 people yell then I heard an air horn blow. About 10 seconds later I heard a warning shot. 3 seconds later I heard a burst from the saw. Sgt (b)(6) yelled for me and (b)(6). The 3 of us approached the man on the ground. There was (b)(6) all over the road and he wasn't moving. I approached him with my weapon on him and tapped him on the shoulder with my foot. He did not move so I bent down and looked at his face. His eyes were moving around so I picked him up and carried him to our (b)(6) and I picked him up and carried him to our cordon and PV2 (b)(6) started performing first aid.

(b)(6)

(b)(6)

Nothing Follows

10. EXHIBIT 0	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF ____ PAGES

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

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

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DISCLOSURE:	Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(6)	(b)(6)	E-2

8. ORGANIZATION OR ADDRESS

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

ON October 13, 2005 IN Baghdad, IRAQ

I PV2 (b)(6) WAS in the Buffalo with SSG (b)(6) as TC, SPC (b)(6) As The Driver, Sgt (b)(6) and SPC (b)(6) As Observers. We was on an IED sight at (b)(1) intersection. Three Local Nationals walked out of the Alley Nearby the confirmed IED. They was all signaled to go away. Two of the Local Nationals walked Away, one of the Local Nationals walked in to the middle of our cordon. The Local Nationals started walking toward the far side of the cordon. He was signaled to leave the cordon. The Local Nationals turned around and started walking toward the near side of the cordon where the Buffalo was located. EOD and escorts was located behind the Buffalo. At 75 meters SPC (b)(6) blowed the horn to the Local Nationals made it within 7 meters of the IED. The IED was 50 meters in front of the Buffalo. At 50 meters I PV2 (b)(6) was signaling from inside the Buffalo the local Nationals to go away. At 30 meters warning shots was fired 3 meters in front of the Local National. The warning shot came from behind the Buffalo. About 25 meters deadly force was used. EOD escorts went to secure the local National. EOD escorts brought the Local National behind the Buffalo in between EOD escorts vehicles. The medic SGT began immediate Aid.

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

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 _____ DATED _____

9. STATEMENT *(Continued)*

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.

_____
(Signature of Person Making Statement)

WITNESSES:

_____
_____
_____
ORGANIZATION OR ADDRESS

_____
_____
_____
ORGANIZATION OR ADDRESS

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

_____
(Signature of Person Administering Oath)

_____
(Typed Name of Person Administering Oath)

_____
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

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DISCLOSURE:	Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER
(b)(6) Iraq	2005 10 14		

5. LAST, FIRST, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(6)	(b)(6)	E-5

8. ORGANIZATION OR ADDRESS
A^co 1^ST BSTB

9.

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

On Thursday 13 Oct 2005 the Buffalo Crew (SSG (b)(6) SGT (b)(6) SPC (b)(6) SPC (b)(6) and PVT (b)(6)) was sitting on the (b)(1) on ramp providing Cover for E.O.D. We had already positively identified the suspected Item as an I.E.D., So the next Step we took was Cordoned off (b)(6) the area to protect ourselves and the Local Nationals. While Sitting in our cordon 3 Local Nationals approach the I.E.D. and we quickly begin to get their attention for their own Safety. As the Buffalo Crew blew the horn, waved our's, and Screaming to get their attention to direct them in a different direction. 2 of the Local Nationals turned right and went down the 1st Street near the I.E.D. as the 3rd Local National continue to walk towards our inner cordon - E.O.D escort begin to start firing warning Shots at him and he keeps walking towards our inner cordon. The Local National finally was shot by PFC (b)(6) when he was about 20-25 meters away from us. Nothing Follows (b)(6)

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

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 _____ DATED _____

9. STATEMENT *(Continued)*

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 STATEME[redacted] THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAW[redacted]

(b)(6)

WITNESSES:

_____

_____

_____

ORGANIZATION OR ADDRESS

_____

_____

_____

ORGANIZATION OR ADDRESS

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

at _____

_____

(Signature of Person Administering Oath)

_____

(Typed Name of Person Administering Oath)

_____

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT	PAGE OF PAGES

SWORN STATEMENT

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DISCLOSURE:	Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER
	14 OCT 05	1349	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(6)	(b)(6)	E-4 SPC

8. ORGANIZATION OR ADDRESS
A-CO 1ST BN 5TH IN

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

we were waiting on (b)(2)Low EOD to arrive at a EOD site and, seeing the area, were more people coming from our perimeter. three men were approaching, and I was yelling at them to move away. 2 walked away, the third kept coming, despite multiple attempts to get him to stop. a warning shot was fired + impacted directly in front of him. he stopped for a second, then kept coming. I saw that he was holding something in his right hand. when he was about 20 meters away, I saw 3 rounds strike him, and he collapsed. after about a minute, 3 soldiers I couldn't identify went out to check him, and they returned with him to our area, where aid was available.

END OF STATEMENT

(b)(6)

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

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

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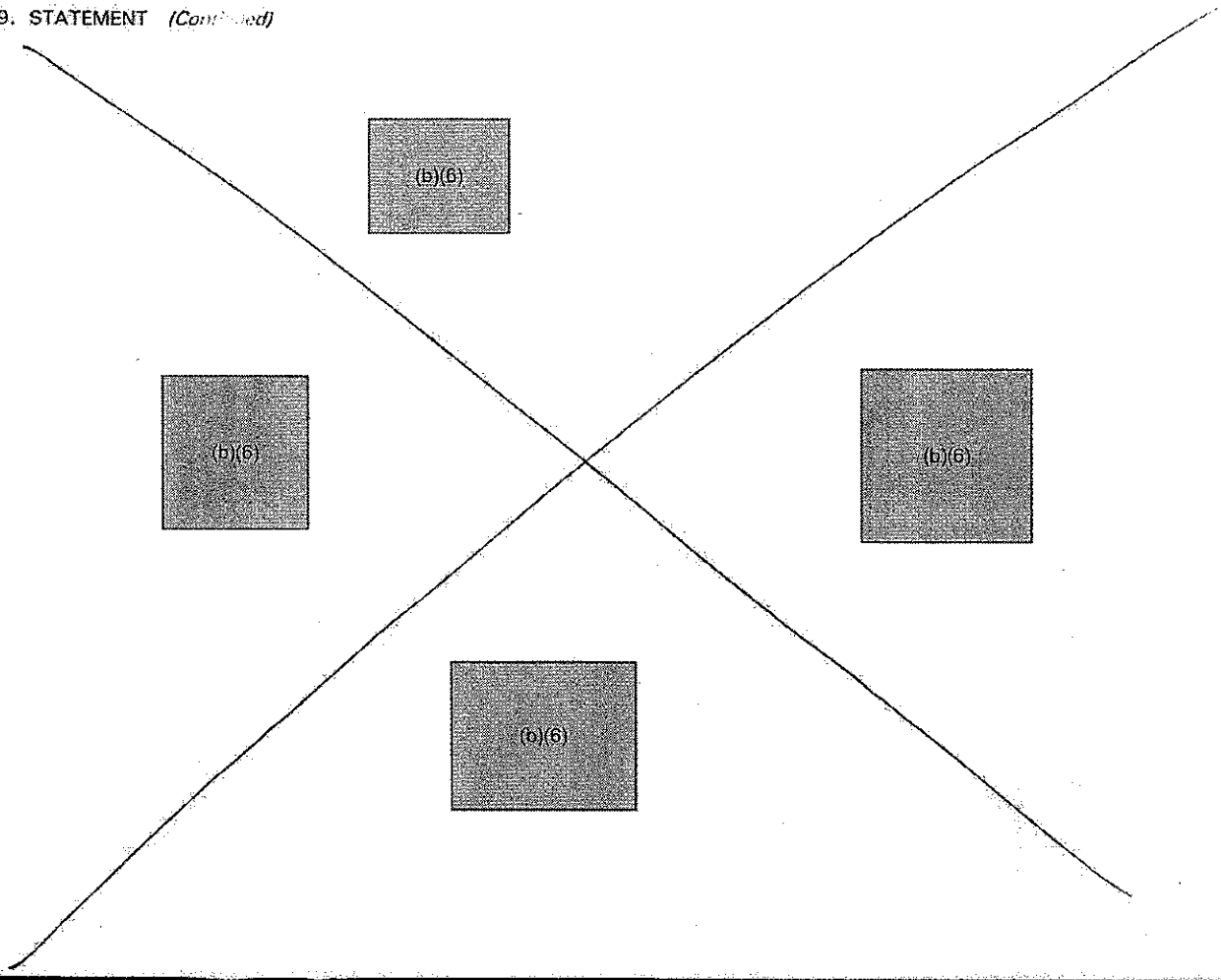
STATEMENT OF (b)(6) TAKEN AT 1349 DATED 14 OCT 08

9. STATEMENT *(Continued)*



AFFIDAVIT

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

(b)(6)

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6)

PAGE 3 OF 3 PAGES

PAGE 3, DA FORM 2823, DEC 1998 USAPA V1.00

SWORN STATEMENT

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1. LOCATION	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER
	20051014	1400	

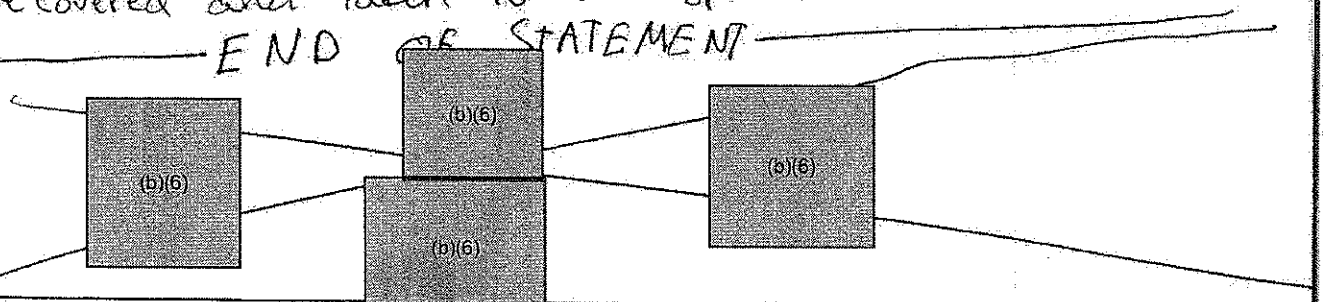
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(6)	(b)(6)	E-4/SPC

8. ORGANIZATION OR ADDRESS
A Co 1BSTB 1/10 MTN DIV

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

During a route clearance mission on Thursday the 13th of October, 2005, our unit found an IED. The EOD team came to the scene to eliminate the IED. Local Nationals were told to leave the area. I saw three men approaching and watched multiple Soldiers tell them to get off the street. Two of the men left while the third man continued on. We watched him walk past the IED and toward the buffalo. The yelling and signaling did not convince him to leave. He started move faster towards us in the buffalo as if intending to do something radical. A soldier from the EOD team, whom I did not see, fired warning shots. The man still continued and the same soldier made a critical decision to defend the Buffalo and the troops inside. With his crew served weapon, the soldier disabled the man a short distance from the Buffalo. The man was recovered and taken to a hospital.

END OF STATEMENT



10. EXHIBIT S

INITIALS OF PERSON MAKING STATEMENT (b)(6)

PAGE 1 OF 1 PAGES

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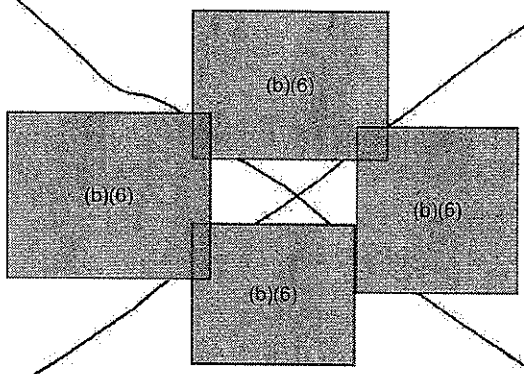
STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*



AFFIDAVIT

I, (b)(6), _____, 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 HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)

WITNESSES:

(b)(6)

Aco 1st BSTB 1/10 MTN

ORGANIZATION OR ADDRESS

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

Aco 1st BSTB 1/10 MTN

ORGANIZATION OR ADDRESS

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

_____

(Signature of Person Administering Oath)

_____

(Typed Name of Person Administering Oath)

_____

(Authority To Administer Oaths)

INI (b)(6) RSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
(b)(6) Iraq	20051014	1350	

NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(6)	(b)(6)	E-6/55G

8. ORGANIZATION OR ADDRESS
Acc 1st BSTB 10th Mtn D.V.

9.

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

On 13 ~~Oct~~ OCTOBER 2005, During a route clearance mission, cordon. A local national approached our cordon on the far side and was turned away. He then approached our cordon on the side that my vehicle was on. Personell in the cordon shouted at him and motioned for him to go away because he was right next to the IED in which was found. The Local National did not stop or leave and kept approaching. When he was around 50 meters ~~away~~ away I heard warning shots fired, and the Local National stopped and then began walking toward the cordon again. I then heard and seen 2 short bursts from an automatic weapon fire and hit the man in which cause him to collaps to the ground. After he collapsed Soldiers from the cordon moved forward to the man and check him for booby traps and injuries, and then carried him behind my vehicle. -End of Statement- (b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

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

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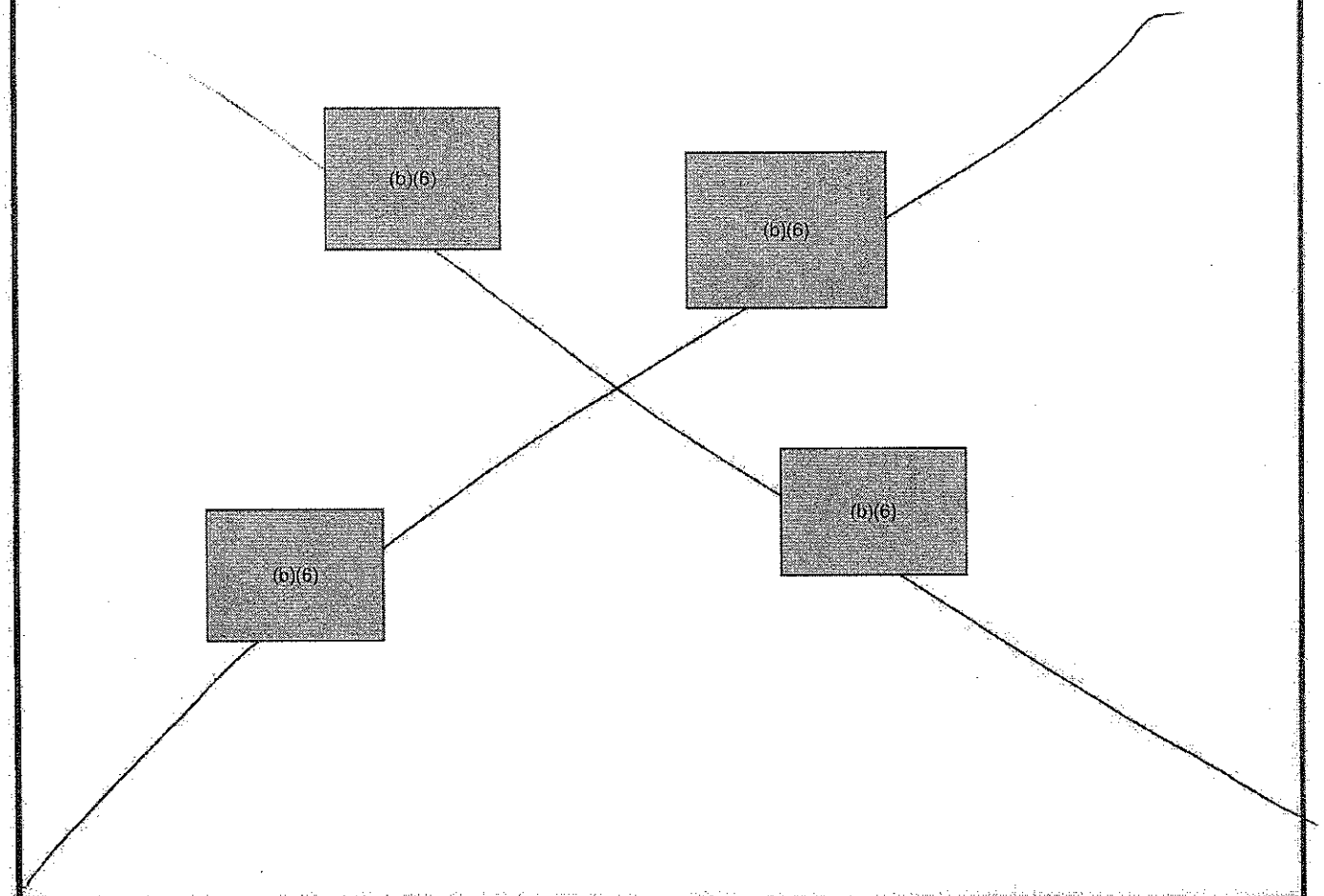
STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*



AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHIC[illegible] I. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STAT[illegible] IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE ST[illegible]MENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISH[illegible], AND WITHOUT COERCION, UNLAW[illegible]

(b)(6)

_____
(Signature)

WITNESSES:

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

at _____

_____ _____

_____ _____

_____ _____

ORGANIZATION O[illegible]RESS *(Signature of Person Administering Oath)*

_____ _____

_____ _____

(Typed Name of Person Administering Oath)

_____ _____

ORGANIZATION [illegible]RESS *(Authority To Administer Oaths)*

INITIALS OF PERSO[illegible]NG STATEMENT