

## SWORN STATEMENT

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

## PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 295; EO. 9397 dated November 22, 1943 (SSN)

PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately recorded.

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

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

3<sup>rd</sup> BCT, 2-70 Armor Division, APO AE 09378

I was running on A-32 Traveling East on Route [REDACTED] Aprox. 1K from the TA. Check Point. I was the lead Humvee in our convoy to [REDACTED] My driver was PFC [REDACTED] and my TC was SGT [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Traffic when I noticed a van approaching at a high rate of speed I attempted waving it off the road with arm signals, it didn't have any effect. [REDACTED] It was around 30 meters before I shot at the grill off the van. I didn't see the impact. The van [REDACTED] swerved off the north side of the road. It didn't stop and we [REDACTED] [REDACTED] to the right as it went by. We then continued forward [REDACTED] seeing the truck not stop [REDACTED] [REDACTED] made me think all [REDACTED] were fire

Nothing  
Follows

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

**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. THIS 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)

**WITNESS**

Subscribed and sworn to by me, a person authorized to administer oaths, this \_\_\_\_\_ day of \_\_\_\_\_  
at \_\_\_\_\_

**ORGANIZATION OR ADDRESSEES**

(Signature of Person Administering Oath)

(Type Name of Person Administering Oath)

### Article 136 UCMJ

**(Authority to Administer Oaths)**

**ORGANIZATION OR ADDRESS**

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1. LOCATION [REDACTED] Police Station	2. DATE (YYYYMMDD) 8/21/2005	3. TIME 10:32	4. FILE NUMBER
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5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	ID number	7. GRADE/STATUS Civilian
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8. ORGANIZATION OR ADDRESS [REDACTED] Military Neighborhood, across from [REDACTED] Checkpoint
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I was fishing right by the old [REDACTED] checkpoint. I saw an American convoy going from [REDACTED] towards [REDACTED]. There was also a KIA going from [REDACTED] towards [REDACTED] and who has stopped on the opposite side. I heard a gunshot coming from the KIA's direction and saw one of its passengers falling down. I ran to the rescue. After that we were brought (the driver and I) to [REDACTED] Police station and we went afterwards to [REDACTED] Police Station by order of the [REDACTED] police chief.

This is my statement

INITIALS OF PERSON MAKING STATEMENT	PAGE	1	OF	2	PAGES
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STATEMENT OF _____	TAKEN AT	CAMP [REDACTED]	DATED _____
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9. STATEMENT (Continued)
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## WITNESS STATEMENT

نفر بفر او (أفاده) الشاهد

Location: [Redacted]	العنوان: [Redacted]	Date: ٢٠١٤/١٢/٢٥	Time: ٢٢:٣٠	Report Number: [Redacted]
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Last Name, First and Middle Name: [Redacted]	ID Number: [Redacted]	Status: [Redacted]	صادر او مبني: [Redacted]
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Home/Organization and Address: [Redacted]	عنوان المأوى والمكان عسكري (اسم الوحدة والعنوان): [Redacted]
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\* I, [Redacted], want to make the following statement under oath.

أنا الشاهد (اسم الشاهد المفدى) [Redacted]

كنت طالب في كلية طب وجراحة لغير المسلمين، الجملة من شهر  
 سبتمبر ٢٠١٤م إلى شهر فبراير ٢٠١٥م، حيث درست في كلية طب وجراحة  
 ووصلت إلى درجة البكالوريوس، حيث درست في كلية طب وجراحة  
 لغير المسلمين، لكنني، أينما كنت، كنت أحياناً متشائماً وحزيناً، لأنني  
 أدركت أنني لست بحاجة إلى ملابس كثيرة، لأنني  
 حضرت مسيرة في شهر فبراير ٢٠١٥م، حيث  
 سمعت لغافل عن نفسه وعزم على العودة إلى مصر.

Initials of Person Making Statement

الاسم المختصر او الاسمي الذهبي لشخص الذي يدون المفدى

Page 1 of \_\_\_\_\_ Pages

صفحة ١ من مجموع \_\_\_\_\_ صفحات

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SWORN STATEMENT  
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1. LOCATION IP Station [REDACTED]	2. DATE (YYYYMMDD) 8-21-2005	3. TIME 10:32	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME		6. ID number	7. GRADE/STATUS CIV
8. ORGANIZATION / ADDRESS [REDACTED]			

Upon my return from [REDACTED] going towards [REDACTED] and right before I got to the check point [REDACTED]. I saw an American convoy going towards the bridge, so I pulled over. One of the Americans shot towards my car. The passengers informed me that one of them got shot in the chest, so I asked them to come down and then I proceeded to the [REDACTED] police station where the wounded passed away. After that a convoy escorted me to [REDACTED] police station. There was a convoy and several people around the place of the incident and they all saw the shooting with their own eyes.

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ CAMP [REDACTED] DATED \_\_\_\_\_

2. STATEMENT (CONTINUED)



## WITNESS STATEMENT

نحو 03 (الثالث) أكتوبر

Location:		Date:	٢٠٠٣	Time:	١٠:٣٠	Report Number:	٢٠٠٣
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Last Name, First and Middle:	الاسم الكنائي	ID Number:	رقم التسجيل	Status:	مسكر أو موظف
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Home/Organization and Address:					عنوان المقيم أو المنظمة والعنوان
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I, [REDACTED], want to make the following statement under oath.

أنا أشهد باسم الشاهد الثالث [REDACTED]

عند عودتي من الماظنة إلى ناحية البو داعي الوصول  
لنا في قرية [REDACTED] البو القدمة على [REDACTED]  
بعد ذلك بسبعين يوماً وسبعين يوماً وسبعين يوماً وسبعين يوماً

الله أعلم أنا أصر على ذلك جنحه ألا أصر  
ويمضي أبلغ من ادراكه [REDACTED] أصر على ذلك  
يمضي في صرفة ثم قصد منزل ادراكه وذهب  
إلى منزل الشاهد [REDACTED] حيث في ذلك الجبار المتعاب وذهب  
إلى منزل الشاهد [REDACTED]

الله أعلم ونحو ذلك ماتقال في قرية العاد

وكان ذلك يوم يمسي على عودة العاد وشاهد العاد

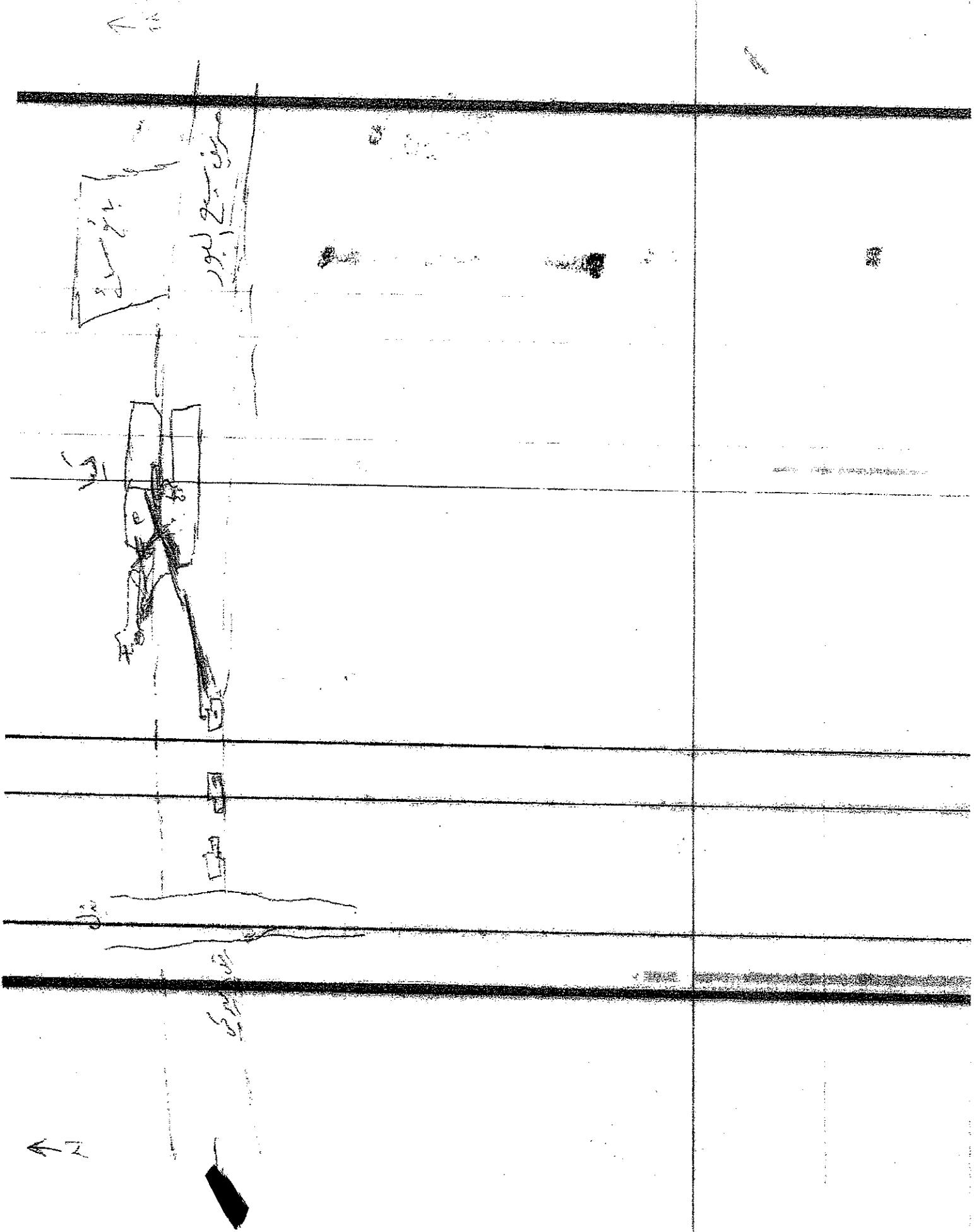
Initials of Person Making Statement:

الاسم المختصر أو الاسم الذي يكتب باسم الشخص الذي يكتبه المختصر

Page 1 of

Pages

الصادر في تاريخ



17172

COMMANDER'S INCIDENT REPORT:

LINE 1: Unit reporting: TF 2-70 AR

LINE 2: Incident: Escalation of Force

LINE 3: Datetime group (DTG) incident occurred: 212005AUG05

LINE 4: Location of incident: [REDACTED]

LINE 5: Personnel involved

Name	Rank	Unit	SSN	Sex	Age	Race
[REDACTED]	SGT (P)	A/2-70 AR	[REDACTED]	M	25	Hispanic
[REDACTED]	SPC	A/2-70 AR	[REDACTED]	M	21	Caucasian
[REDACTED]	POC	A/2-70 AR	[REDACTED]	M	20	Caucasian

LINE 6: SUMMARY: At 2005 an IZ male entered the [REDACTED] IP station and reported that a U.S. wheeled patrol shot at his vehicle on RTE [REDACTED] at approximately 1800 hrs. The civilian vehicle was traveling west on ASR [REDACTED] and the U.S. patrol was traveling east. After the shooting all personnel ran from the vehicle. Another IZ that witnessed the shooting approached the van and noticed that the driver of the vehicle showed no signs of life. The witness claimed that the driver was killed from a gunshot wound. The witness did not know who the man was, and went to the [REDACTED] IP station to report the incident. The IPs at the Taji station escorted the witness and the remains to the [REDACTED] IP station. B/1-115<sup>th</sup>, collocated at the IP Station, learned of the incident and reported the information to the TF TOC. All units that were traveling along ASR [REDACTED] between 1830-2030, to include 70<sup>th</sup> EN, were questioned regarding warning shots and escalation of force. Upon further investigation, 2/A/2-70 reported that they had fired warning shots at a minivan while traveling east on ASR [REDACTED] enroute to Camp [REDACTED]. The TF XO is currently conducting an AR 15-6 investigation at the [REDACTED] IP station.

UPDATE:

On 21AUG05 O/A 1900, 3/A/2-70 was conducting a patrol east on ASR [REDACTED]. The patrol was 4 x M1114s. The crew of A32 (lead vehicle of the patrol) encountered a civilian blue minivan approaching the patrol from the west, traveling in the center of the road towards the patrol at 150 meters. The gunner of A32, identified an oncoming vehicle in the center of the road traveling at a high rate of speed. At 100 meters he attempted to slow the vehicle and have it yield by utilizing hand and arm signals. The crew observed no change in the vehicle's speed or its position in the center towards the northeast in an attempt to cause the operator of the van slow and pull off the road. The crew observed no change in vehicle speed or position. The driver of A32, recognizing that the minivan is not slowing, and concerned over a possible VBIED attack, applied his brakes to reduce his rate of speed. At 30 to 50 meters the gunner of A32 fired one aimed disabling shot at the grill. The minivan immediately slowed and pulled off the

Appendix 1 (CIR BLUE 2 REPORT) to Annex C to FRAGO 4U to OPORD 05-007  
(RSOI)

road. The crew and follow-on crews of the patrol observed no unusual activity and continued their mission without further incident.

Additional information: The platoon/patrol had recently completed ROE refresher training and conducted an ROE vignette as part of the pre-patrol brief and preparation. The platoon had recently been attacked by a VCIED along RTE [REDACTED] on 12AUG. The platoon did not report the EOF until the LNs reported the event at the SAB IP Station. AR 15-6 investigation continues.

LINE 7: Injuries or damage to government and/or civilian property:

- 1 x KIA: Iraqi male (late 20s, identification pending)
- 1 x WIA: Unknown (left the scene)
- 1 x broken windshield – Passenger Side (claims form provided to driver)

LINE 8: Commander reporting: LTC [REDACTED]

LTC, AR  
Commanding