

STATEMENT OF [REDACTED]

TAKEN AT [REDACTED]

DATES (06 SEP 00)

B. STATEMENT (CONTINUED)

AFFIDAVIT

[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 PROMISE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL IMPOSITION.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, the day of Sept 1, 2000  
at [REDACTED]

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Signature of Administering Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

Enclasse T

SWORN STATEMENT

Form DA FORM 2023, 1 DEC 1993, is the current edition of this document.

SWORN STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 205; EO 13136 dated November 23, 1994.  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with criteria by which information may be accurately disclosed.  
ROUTINE USES: The Secretary will be responsible for authorizing disclosure of information to facilitate legal and related  
functions of the Department of Defense.  
DISCLOSURE: Disclosure of this record must be made in accordance with the provisions of the Privacy Act.

1. LOCATION	2. DATE 07/17/2003	3. TIME 1000 hrs	4. FILE NUMBER
██████████	██████████	██████████	██████████
██████████ LAST NAME FIRST NAME MIDDLE NAME	██████████	██████████	██████████
██████████ ORGANIZATION OR BUSINESS	██████████	██████████	██████████

Also attached:

1. SSG █████ WITNESS TO THE FOLLOWING STATEMENT UNDERSIGNED.

I was in the lead vehicle of the convoy doing route clearance on Route █████ going West. The █████ was called to intercept a suspected IED. The PFC █████ pull up to where the IED was allegedly to my left so my gunner SPC █████ could secure the area, we and the convoy traffic at the same time. We had a black pick-up truck speeding towards our convoy traveling East on Route █████. The gunner SPC █████, noticed at the truck to stop 2 or 3 times fired a warning shot at the truck and the truck proceeded toward the convoy. SPC █████ fired a 3-round burst at the fire and grill of the truck and disabled the vehicle, and the LN driving the vehicle got a scratch on his left side. I called a medic forward to treat the LN. I then caused to pull security at the front of my vehicle, as the medic SGT █████ was treating the LN we had a car coming down the road at high rate of speed towards the convoy. I had my team leader SGT █████ in position at the head of the convoy aiming at the car. My gunner SPC █████ and myself telling the vehicle to stop 3 or 4 times, the driver disregarded the shouting and hand signals and continued speeding towards the convoy. I fired warning shot at the grill of the vehicle. The driver ignored the warning shot and continued toward the convoy. Once the vehicle hit the 30m line between us and the vehicle my gunner SPC █████ engaged the vehicle with the M16D and stopped at the front of the hood of the vehicle and worked up to the windshield and killed the LN that was driving.

END OF STATEMENT

1B. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

PAGES

ADDITIONAL PAGES MUST CONTAIN THE READING "STATEMENT BY █████"

JULY 17, 2003

DA FORM 2023, 1 DEC 1993

## SWORN STATEMENT

For use of this form, see AF Form 1042, the parent form agency is DODIG/OSB.

**AUTHORITY:** Title 10 USC Section 303; Title 5 USC Section 2051; E.O. 13377 (Jan 11, 1943) (SSM)  
**PRINCIPAL PURPOSE:** To provide commanders and their authorized agents with means of storing information may be periodically  
**ROUTINE USES:** Your social security number is used as an alphanumeric index of information to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your SSN is required authority to obtain it.

1. LOCATION	2. DATE OF SWORN	3. TIME	4. FILE NUMBER
1. [REDACTED]	2. [REDACTED]	3. [REDACTED]	4. [REDACTED]
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. GRADE/STATUS		
[REDACTED]	F-1100 ADP		

2. ORGANIZATION OR ADDRESS

AC/10377

1. SSM [REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

Q: What is briefed during the [REDACTED]?

A: The route, A2I's, contact, actions on recovery ops. and RPT  
 100m- Shoot and retreat signals  
 50m - Warning shot  
 30m - Kill line

Q: Where do you [REDACTED]?

A: Towards the tire of the vehicle

Q: What traffic control measures were used after the [REDACTED] incident?

A: Between the time of the pickup and the [REDACTED] [REDACTED] to implement  
 a different TTP for traffic control. We did use TPs to stop traffic  
 further down [REDACTED] but just oncoming traffic

Q: When did you first notice the [REDACTED] pick up truck?

A: I saw the pick up truck coming down Route [REDACTED] at a high rate  
 of speed about 40m from my vehicle.

10. EXHIBIT

11. AMOUNT OF MONEY MAKING STATEMENT

PAGE 1 OF / PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING STATEMENT

TAKEN BY

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** \_\_\_\_\_

~~STATEMENT (Continued)~~

**INITIALS OF PERSON MAKING STATEMENT**

PAGE OF PAGES

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

TAKEN AT \_\_\_\_\_

DATED \_\_\_\_\_

9. STATEMENT (Continued)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

AFFIDAVIT

[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 HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] SIGNATURE OF SIGNATORY

WITNESSES:

Signed and sworn to before me, a person authorized by law to administer oaths, on the day of 19

AM

[REDACTED]

[REDACTED] SIGNATURE OF SIGNATORY

ORGANIZATION OR ADDRESS

[REDACTED] SIGNATURE OF SIGNATORY

ORGANIZATION OR ADDRESS

[REDACTED] SIGNATURE OF SIGNATORY

INITIALS OF PERSON SIGNING STATEMENT

PAGE / OF / PAGES

Enclosure X

SIMON STATEMENT

For use of this form, see AF 180-2c. The preparer agency is DIA/CIDCS.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 3612; Title 5 USC Section 2551; ED 9397 dated November 22, 1993 (SSB).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately disclosed.  
ROUTINE USES: Your social security number is used as an additional identifier means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION <b>CAMP [REDACTED]</b>	2. DATE OF INTERVIEW <b>09/07/04</b>	3. NAME <b>SSG [REDACTED]</b>	4. FILE NUMBER <b>1435</b>
5. LAST NAME, FIRST NAME, MIDDLE NAME <b>[REDACTED]</b>	6. SSN <b>[REDACTED]</b>	7. GRADE/STATUS <b>E-4</b>	

8. ORGANIZATION/COMPANY

For P.A. A Co, 1st BSB, 100T

9.

**SP4 [REDACTED]**

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 26 SEP 03 at approximately 0645, 1st Platoon, A Co. 1st BSB were conducting a [REDACTED] mission. We, as an engineer platoon, were carrying M16s going west bound when the convoy stopped for the [REDACTED] to identify the [REDACTED] possible IED. I was the gunner for the lead humvee along with PFC [REDACTED] as the driver, SSG [REDACTED] as the TC, SGT [REDACTED] as the rear-right passenger and SSG [REDACTED] from A Co. 107th Engineers as the rear-left passenger. At the time of the [REDACTED] interrogation, I was pulling security at an intersection approximately 200 meters east from the [REDACTED] intersection. At 0700, a white pick-up truck with red flame drove up to my sector of fire, which I was covering the south-bound and west-bound intersections. The local natural, me, did not stop within 100 meters from my position, which led me to shoot a warning shot at the local natural. That driver persisted to drive closer and within 50 meters I shot his front-left tire and the radiator with my [REDACTED] M4/M16 Machine Gun.

The local natural stopped, backed up away from the traffic control point and parked on the side of the road. 1st [REDACTED] ordered SSG [REDACTED] to investigate the vehicle that had been shot. SSG [REDACTED] and SGT [REDACTED] descended from the humvee to investigate the local natural and the downed pick-up truck. Upon SSG [REDACTED]

10. EXHIBIT

11. DETAILS OF PERSON MAKING STATEMENT

PAGE 1 OF **2** PAGES

ADDITIONAL PAGES MUST CONTAIN THE ACTUAL NUMBER OF

12. DATE/TIME

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAT THE BOTTOM OF THE PREDVIOUS PAGE OF THE STATEMENT AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

SPC [REDACTED]

TYPED

Copy [REDACTED]

DATED

015 SEP 05

## B. STATEMENT (Continued)

in investigation, SSG [REDACTED] requested the mate, SGT [REDACTED] to hold the local informant's wound. It turns out that the injury was minor, perhaps a bullet grazed near the right side of the local informant's torso. At 0910 there was another vehicle driving north bound towards the traffic control point. The vehicle is a white Mercedes-Benz. As this male local informant drove 100 meters closer to the traffic control point, myself and SSG [REDACTED] shouted and used hand gestures with our weapons to get the driver's attention. At approximately 50 meters, SSG [REDACTED] fired a warning shot at the vehicle's perimeter, and the driver persisted in driving into the traffic control point. About 3 to 4 seconds later, I fired at the vehicle as it was driving dangerously close to the turnpike. I shot at the vehicle's tire, the driver side headlight, the window, and finally the driver of that Mercedes-Benz. The local informant was less than 30 meters when I opened fire, and was considered a hostile action according to UICRD 015 SEP 05. SSG [REDACTED] and SGT [REDACTED] went up to the downed Mercedes-Benz to check on the local informant. The local informant was rendered dead at approximately 0916. ICF [REDACTED] then contacted the Iraqi Police to handle the situation, and concluded the mission of approximately 10AS. END OF STATEMENT

## AFFIDAVIT

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. HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE SIGNING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT FEAR OF COERCION OR PENALTY, WITHOUT THREAT OR PUNISHMENT, AND WITHOUT ANYONE FORCING ME TO SIGN IT.

## WITNESSES:

Signed and sworn in before me, a person authorized by law to administer oaths.

Subscribed and sworn to before me, a person authorized by law to administer oaths.

## ORGANIZATION OR ADDRESS

Signed and sworn before me, a person authorized by law to administer oaths.

## ORGANIZATION OR ADDRESS

Signed and sworn before me, a person authorized by law to administer oaths.

## INITIALS OF PERSON MAKING STATEMENT

Page 1 of 1 pages

Enclosure 1

**SWORN STATEMENT**

For use of this form, see AF 190-15; the proponent agency is GDGSCPS.

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2954; E.O. 13397 dated November 22, 1943 (SSAP).

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

**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			

9. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. In your statement you mentioned the [redacted] did not stop within 100 meters, what were you [redacted] about warning shots?

A. Warning shots are fired when [redacted] does not stop and when [redacted] is within 50 meters.

Q. Where did you aim your [redacted] at?

A. The front tires or the engine block.

Q. Where was the traffic control point located?

A. The traffic control point is located by [redacted]

Q. Before shooting at the [redacted] in the location of [redacted] what steps did you take?

A. I [redacted] shot him to get the gun away from him and didn't [redacted] I had a warning shot when I [redacted] at [redacted] he [redacted] would stop after that so I [redacted] the vehicle to [redacted] with [redacted] of the traffic control point.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	FACE 1 OF	PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING STATEMENT _____		TAKE NO. 1	1

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER  
MUST BE RE-MEN-1005

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

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

TAKEN AT \_\_\_\_\_

DATED \_\_\_\_\_

8. STATEMENT (CONTINUED)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 DA FORM 2721 DEC 1968

PAGE \_\_\_\_ OF \_\_\_\_ PAGES

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