

22 MAY 05

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**DEPARTMENT OF THE ARMY
HEADQUARTERS, 256th BRIGADE COMBAT TEAM
CAMP AL-THAREER, IRAQ
APO AE 09344**

ATZQ-256BCT-SJA

28 May 2005

MEMORANDUM THRU Comptroller, 3d Infantry Division

FOR Chief of Staff, 3d Infantry Division

SUBJECT: Type of Condolence Payment (Property Damage and Death) 256-BCT- 156 and 256-BCT-157

1. NAME OF RECIPIENT: (b)(6)

(b)(6)

2. DATE OF INCIDENT OR DAMAGE: 22 May 05

3. LOCATION OF INCIDENT OR DAMAGE: Vic Baghdad, (b)(2)High

4. DESCRIPTION: During a combat patrol, a LN vehicle was engaged, believing it to be a potential VCIED. During the engagement, collateral damage occurred to individual property in the engagement. The driver did not respond to hand signals, warning shots, or disabling shots to the vehicle.

5. JUSTIFICATION: By making this condolence payment, MNF ensures the family and community recognize the MNFs' sympathy for the unfortunate occurrence. Support will positively influence both the community and local Iraqi leaders.

6. AMOUNT OF PAYMENT: \$ 2,500

Property Damage to vehicle and contents

Death of _____ (b)(6)

~~\$5,000~~

7. POINT OF CONTACT: MAJ (b)(3), (b)(6) Claims Judge Advocate. VOIP 242-4924, NIPR:

(b)(3), (b)(6) @us.army.mil.

(b)(3) (b)(6)

(b)(3)(b)(6)

JOHN BASILICA, JR.
BG, USA
Commanding

I concur with the payment.

(b)(3), (b)(6)

MAJ, JA
Deputy Staff Judge Advocate

14 Gpm, Q5:

(b)(3)(b)(6)

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TF 2- 019- 025

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 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 CAMP LIBERTY, IRAQ	2. DATE (YYYYMMDD) 2005/05/25	3. TIME 1700	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN	7. GRADE/STATUS E-7	

8. ORGANIZATION OR ADDRESS
DELTA COMPANY, 1-101 CAVALRY, 256 BCT, CAMP LIBERTY, IRAQ

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 22 MAY 05, I WAS THE PATROL LEADER OF THE D19 COMBAT PATROL. AT APPROX. 1745 HRS MY PATROL ENGAGED A VEHICLE THAT THEY BELIEVED TO BE A VBIED. MY PATROL FIRED ABOUT 20 ROUNDS OF 5.56MM IN TOTAL. FIRST THEY FIRED INTO THE MEDIAN, THEN IN FRONT OF THE VEHICLE AND FINALLY AT THE VEHICLE. WHEN THE VEHICLE DID NOT STOP, 4 ROUNDS OF .50 CALIBER WERE FIRED INTO THE VEHICLE. THE VEHICLE WAS FINALLY DISABLED AND CAME TO A STOP AT GRID (b)(2)High. THE LOCAL NATIONAL DRIVER WAS SHOT ONCE IN THE CHEST AND WAS KILLED. THE DRIVER OF THE VEHICLE WAS (b)(6) AND HIS ADDRESS IS (b)(6). THE VEHICLE WAS REGISTERED TO THE VICTIM'S FATHER, (b)(6). THE VEHICLE WAS A (b)(6) BLACK, VOLKSWAGON GOLF, LICENSE PLATE (b)(6). ONE ROUND WENT THROUGH THE ENGINE BLOCK AND DISABLED THE VEHICLE. THE DECEASED BODY, ALL PERSONAL EFFECTS AND THE VEHICLE WERE GIVEN TO FAMILY MEMBERS EITHER AT THE SCENE OR AT THE HURRIYA IP STATION. A BDA WAS CONDUCTED OF THE AREA AND IT WAS DETERMINED THAT FOUR OTHER VEHICLES WERE DAMAGE, AND ONE HOT WATER HEATER. THE OWNERS OF THE VEHICLES AND THE STORE OWNER WERE ALL INFORMED ABOUT THE CLAIMS PROCESS AND TWO WERE ISSUED CLAIMS CARDS (DID NOT HAVE ENOUGH CLAIMS CARDS). THE FOLLOWING IS A LIST OF ALL THE DAMAGES AND LN's CONTACT INFORMATION.

OWNER'S NAME: (b)(6)

LOCATION: IN FRONT OF SUNNY ELECTRONICS, PHONE CARD ROAD, (b)(2)High

ITEM: HOT WATER HEATER, 100 LITER

DAMAGES: 5.56MM BULLET HOLE IN HOT WATER HEATER

OWNER'S NAME: (b)(6)

LOCATION: PHONE CARD ROAD, (b)(2)High

VEHICLE INFO: GREY, 4DR, TOYOTA MARK II, LICENSE # (b)(6)

DAMAGES: BOTH REAR WINDOWS BROKEN

OWNER'S NAME: (b)(6)

LOCATION: PHONE CARD ROAD, (b)(2)High

VEHICLE INFO: GREEN, 4 DR, OPEL SENATOR, LICENSE # (b)(6)

DAMAGES: .50 CALIBER BULLET HOLE IN LEFT REAR DOOR, BROKEN RIGHT REAR WINDOW

OWNER'S NAME: (b)(6)

LOCATION: PHONE CARD ROAD, (b)(2)High

VEHICLE INFO: WHITE, 4 DR, NISSAN (DATSUN) 180B, LICENSE # (b)(6)

DAMAGES: 5.56MM BULLET HOLE IN LEFT REAR QUARTER PANEL, BROKEN REAR WINDSHIELD

OWNER'S NAME: (b)(6)

LOCATION: PHONE CARD ROAD, GRID (b)(2) high

VEHICLE INFO: GREY, 2 DR, OPEL VECTRA 1.8I, LICENSE # (b)(6)

DAMAGES: .50 CALIBER BULLET HOLE IN LEFT REAR QUARTER PANEL, .50 CALIBER BULLET HOLE IN TRUNK, BROKEN RIGHT REAR TURN SIGNAL

NOT (b)(3), (b)(6) DWS

10. EXHIBIT

11. INITIAL

(b)(3), (b)(6)

G STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" (b)(3), (b)(6) DATED (b)(3), (b)(6)

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 (b)(3), (b)(6) TAKEN AT CAMP LIBERTY DATED 2005/05/25

9. STATEMENT *(Continued)*

NOT USED
(b)(3), (b)(6)

AFFIDAVIT

I, (b)(3)(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 FREE AND VOLUNTARILY, IN THE PRESENCE OF NO PERSON, IN A PRIVATE PLACE, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL PRESSURE.

(b)(3), (b)(6)

(Signature or Person Making Statement)

WITNESSES:

(b)(3), (b)(6)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of MAY, 2005 at CAMP LIBERTY, IRAQ

(b)(3), (b)(6)

(Signature)

(Typed Name of Person Administering Oath)

(b)(3), (b)(6) *Sgt.*

D CO 1-101 CAV, 256 BCT, CAMP LIBERTY, IRAQ
ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

D CO 1-101 CAV, 256 BCT, CAMP LIBERTY, IRAQ
ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(b)(3), (b)(6)

PAGE 2 OF 2 PAGES

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(b)(6)

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DEPARTMENT OF THE ARMY

HEADQUARTERS, 2-156 INFANTRY
CAMP LIBERTY, IRAQ
APO AE 09326

157

FLVA-BDF-CDR

27 May 2005

MEMORANDUM FOR CDR, 256 BCT

SUBJECT: Condolence Payment (Death)

1. NAME OF RECIPIENTS: (b)(6)

2. DATE OF INCIDENT: 22 May 2005

3. LOCATION: (b)(2)High

4. DESCRIPTION: On 22 May 2005 while on patrol a vehicle was engaged believing it to be a potential VCIED. The vehicle driven by (b)(6) did not respond to hand signals, warning shots, or disabling shots to the vehicle. Deadly force was employed and the driver was killed. Upon investigation of the vehicle and the driver it was confirmed that there was no VCIED threat.

5. REQUESTED ACCOUNT OF PAYMENT: \$2500.00 USD.

6. POC for this is CPT (b)(3), (b)(6) @us.army.mil or 242-4399

(b)(3), (b)(6)

LTC, IN, USA
Commanding

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