

256-BCT 179 AND 100 1/2

U.S. GOVERNMENT
PURCHASE ORDER-INVOICE-VOUCHER

DATE OF ORDER 06 JUN 05	ORDER NO. (b)(2)High 256 BCT-179
----------------------------	--

PRINT NAME AND ADDRESS OF SELLER (Number, Street, and State)* (Phone)

P
A
Y
E
E

(b)(6)

Furnish Supplies or Services to (Name and address)

SUPPLIES AND SERVICES	QTY	UNIT PRICE	AMOUNT
DEATH OF SON	1	\$ 2,500	\$ 2,500

AGENCY NAME AND BILLING ADDRESS*

P 15TH FIN BN
A NORTH VICTORY
Y
O
R

TOTAL \$ 2,500
DISCOUNT TERMS
DATE INVOICE RECEIVED

ORDERED BY (Signature and Title)

PURPOS

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

PPO

(b)(2)High

PURCHASER - To sign below for over-the-counter delivery of items

RECEIVED

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

MSG

TITLE

CONDOLENCE PAY AGENT

6 Jul 05

SELLER

☐ PAYMENT RECEIVED

☐ PAYMENT REQUESTED

\$ 2,500.00

NO FURTHER INVOICE NEED BE SUBMITTED

SELLER

(b)(6)

DATE

6 Jul 05

Signature

I certify that this account is correct and proper for payment in the amount of

\$ 2,500

DIFFERENCES

NONE

ACCOUNT VERIFIED
CORRECT FOR

BY

PAID BY

CASH

DATE PAID

VOUCHER NO.

OR

(Check No.)

6 Jul 05

*PLEASE INCLUDE
ZIP CODE

STANDARD FORM 44A (Rev. 10-83)
PRESCRIBED BY GSA
FAR (48 CFR) 53.213(c)

CENTCOM 004105

(b)(6)

At 21 May 05 3:30 p.m I know from one of Iraqi patrol that my son born (b)(6) had an incident of fire shoot from the USA forces the unit (M.P) brigade 169 company 63 in Al Amergia district. my son was working a taxi driver. two person hired him to reach them some place so while they reached serving road near the airport street the incident occurred therefore my son was died and the other persons were injured. my son not hold with him anything against the law. and he was spent for my family because I am (b)(6) (Date Borne (b)(6) so that I complained the USA forces and I want to pay for me to the damages from the incident

the singten of the
complain
His father (b)(6)
8 June 05

Sing. The Witness

(b)(6)

Sing. The Witness

(b)(6)

Pages 4 through 14 redacted for the following reasons:

(b)6 Foreign Language

Foreign Language Text

The witness Astitments from police
Station of his brother Wameed

CENTCOM 004118

Foreign Language Text

Foreign Language Text

report of police station
on the body of the dead ((b)(6))

CENTCOM 004119

Foreign Language Text, (b)(6)

Foreign Language Text

the diagram of police Station of

the incident

Foreign Language Text

(b)(6)

Highway Airport

language T

Location
of incident

Foreign Language Text

Blood
and
glass

Foreign Language Text

Foreign Language Text

Serving Street

Build
for
living

Foreign Language Text

Foreign Language Text

Foreign Language Text

Building
for
living

Foreign Language Text

Almonadama
Street
Al Ameria
distruct

Foreign Language Text

Building
for
living

CENTCOM 004120

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

certified of chicking
the car

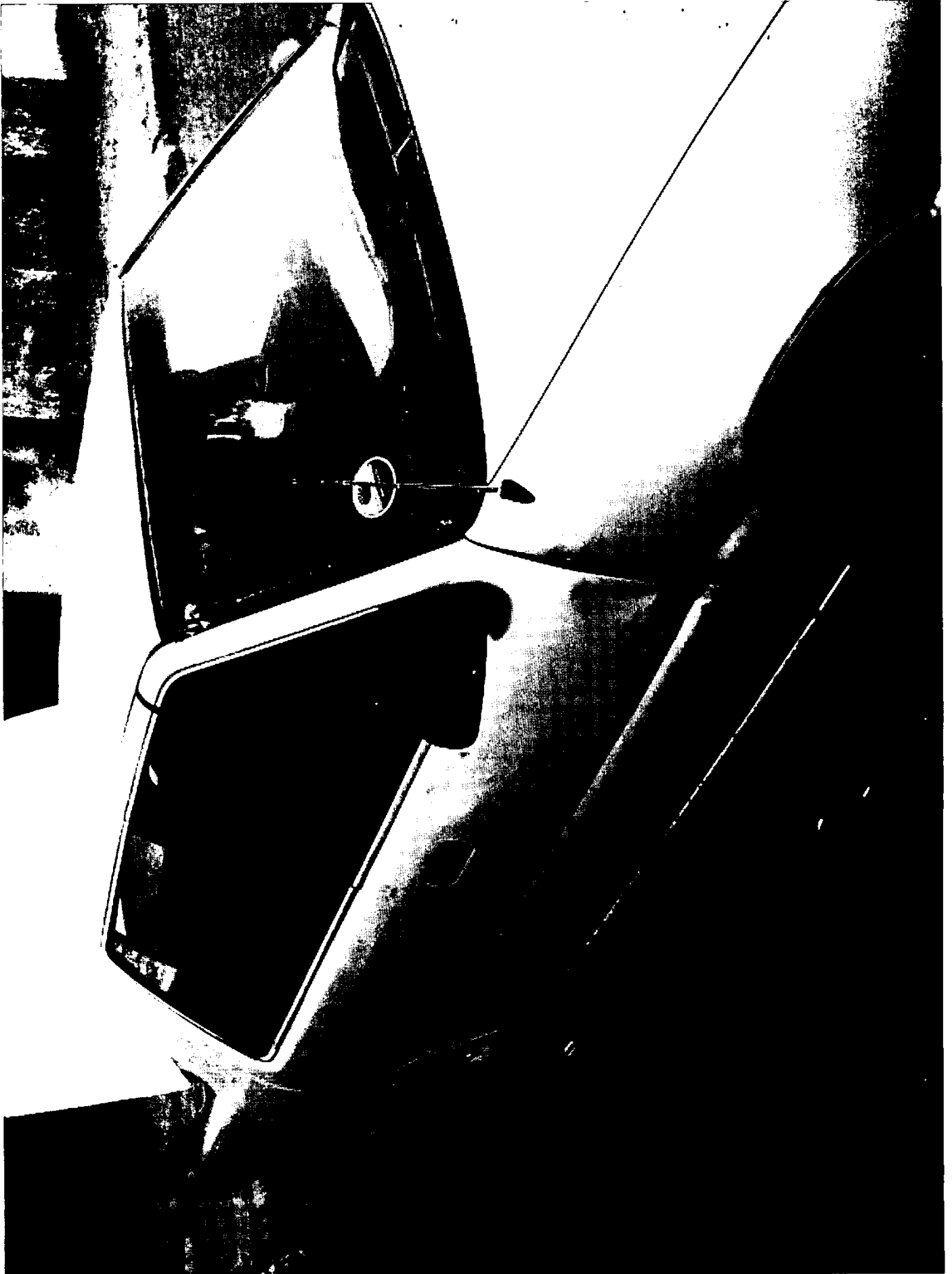
Foreign Language Text

Pages 19 through 30 redacted for the following reasons:

(b)6 Foreign Language



CENTCOM 004134



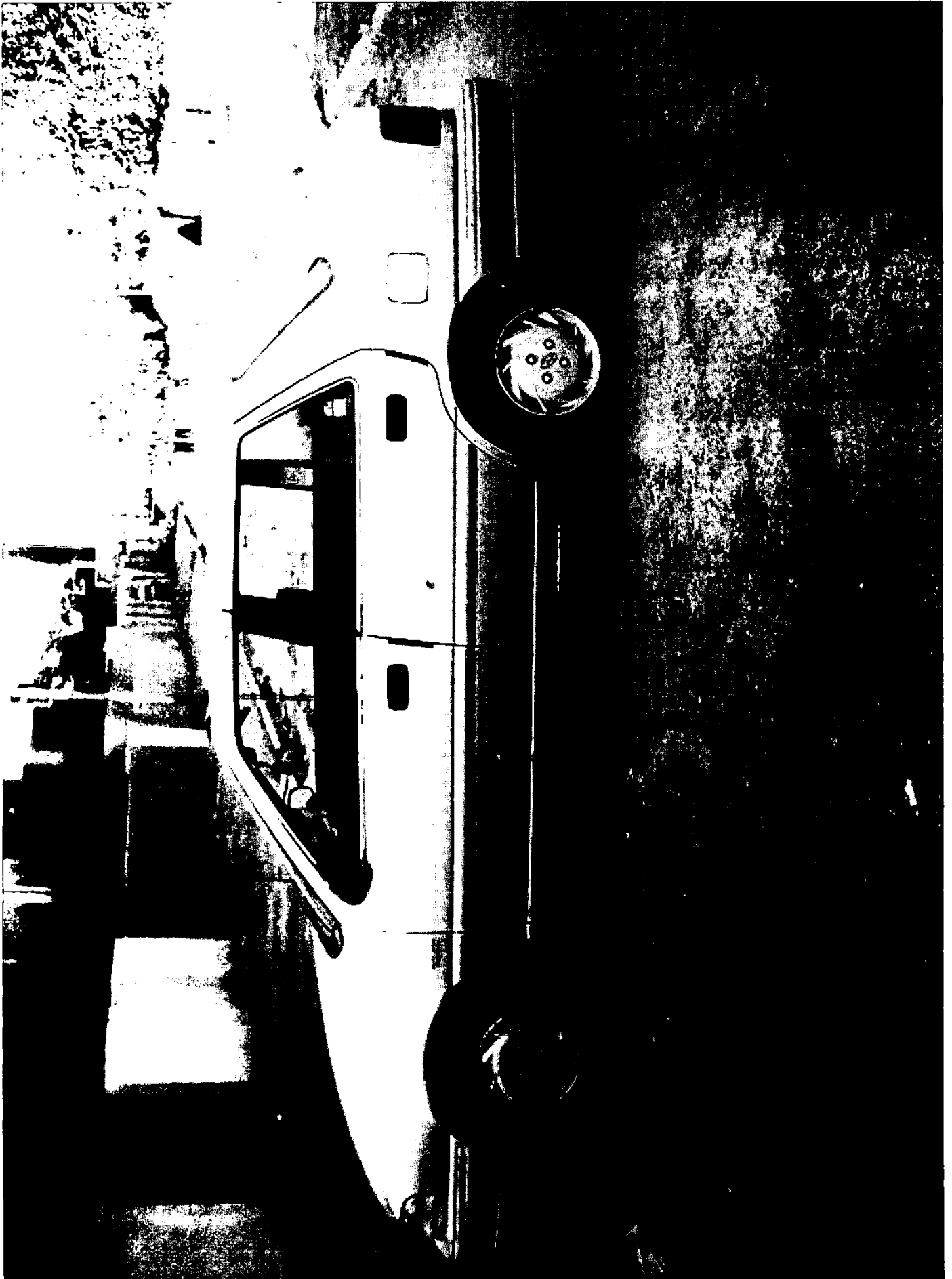
CENTCOM 004135



CENTCOM 004136

Pages 34 through 36 redacted for the following reasons:

(b)(6)



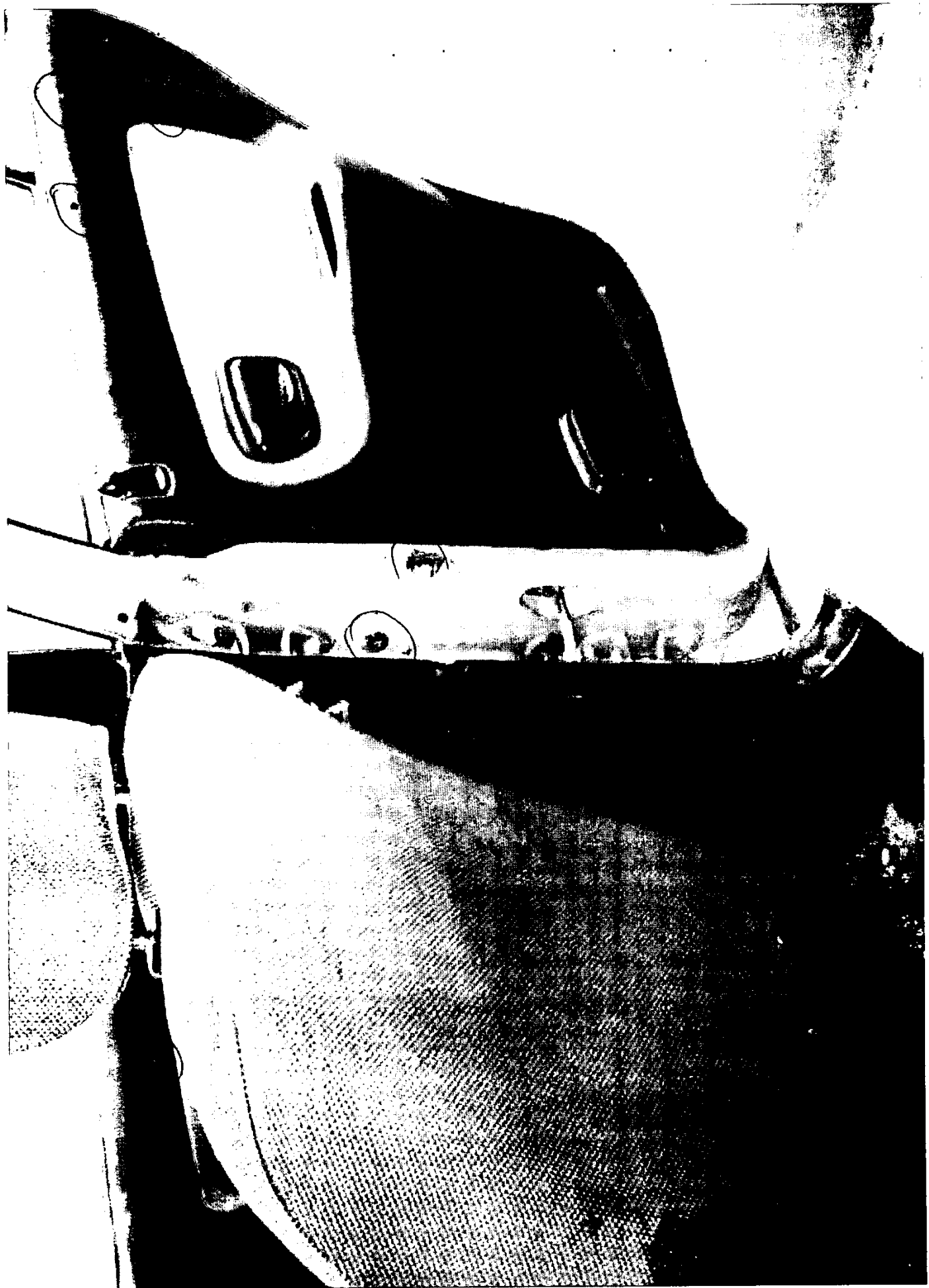
CENTCOM 004140



CENTCOM 004141



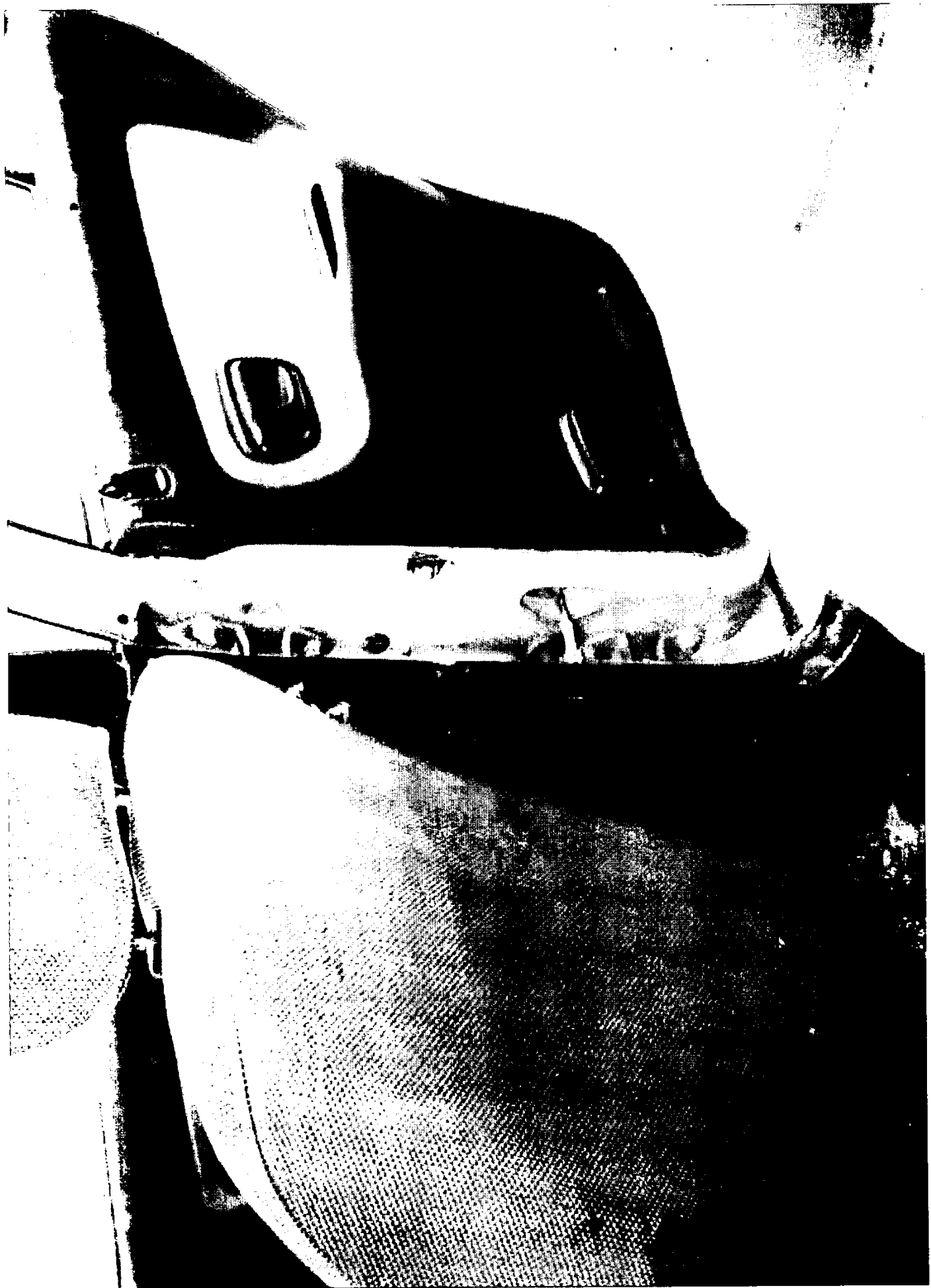
CENTCOM 004142



CENTCOM 004143

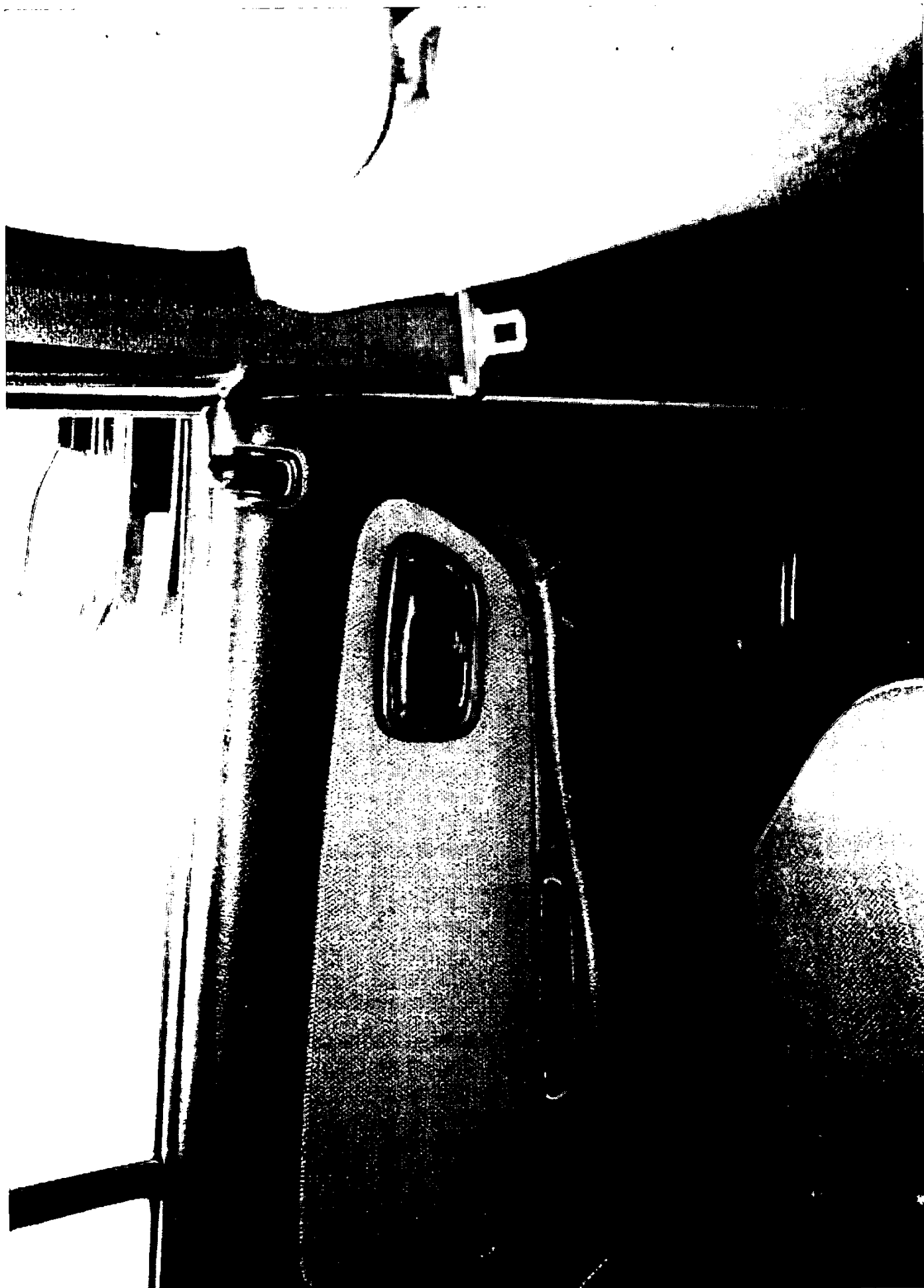


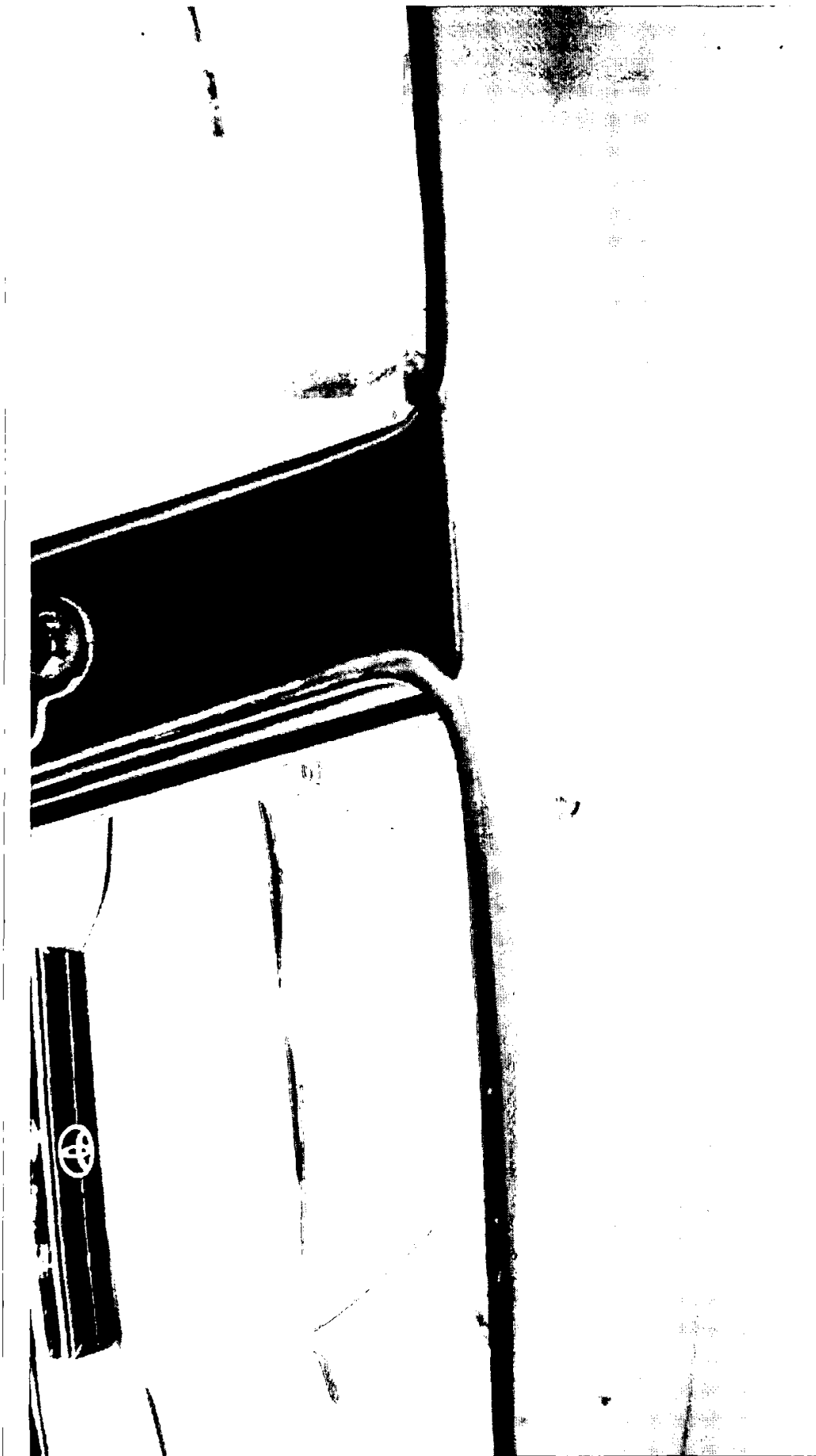
CENTCOM 004144



CENTCOM 004145







CENTCOM 004148



CENTCOM 004149

**U.S. GOVERNMENT
PURCHASE ORDER-INVOICE-VOUCHER**

DATE OF ORDER 06 JUN 05	ORDER NO. (b)(2)High 256 BCT-180
----------------------------	--

PRINT NAME AND ADDRESS OF SELLER (Number, Street, and State)* (Phone)

P
A
Y
E
E

(b)(6)

Furnish Supplies or Services to (Name and address)

SUPPLIES AND SERVICES	QTY	UNIT PRICE	AMOUNT
PROPERTY DAMAGE	1	\$ 1,000	\$ 1,000

AGENCY NAME AND BILLING ADDRESS*

P 15TH FIN BN
A NORTH VICTORY
Y
O
R

TOTAL \$ 1,000
DISCOUNT TERMS
DATE INVOICE RECEIVED

ORDERED BY

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

PPO

PURPOSE

21422200

APF 3ID 51430245 G3CV 83 S09076 \$50,000.00

PURCHASER - To sign below for over-the-counter delivery of items

RECEIVED BY

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

MSG

TITLE

CONDOLENCE PAY AGENT

6 JUL 05

SELLER

☐ PAYMENT RECEIVED

☐ PAYMENT REQUESTED
\$ 1,000

NO FURTHER INVOICE NEED BE SUBMITTED

SELLER

(b)(6)

DATE

6 JUL 05

Signature

I certify that this account is correct and proper for payment in the amount of

\$ 1,000 *oc*

DIFFERENCES

NONE

ACCOUNT VERIFIED
CORRECT FOR

BY

Authorized certifying officer

PAID BY CASH

DATE PAID

6 JUL 05

VOUCHER NO.

OR

(Check No.)

*PLEASE INCLUDE
ZIP CODE

STANDARD FORM 44A (Rev. 10-83)
PRESCRIBED BY GSA
FAR (48 CFR) 53.213(c)

CENTCOM 004150



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

ATZQ-256BCT-SJA

04 July 2005

MEMORANDUM THRU Comptroller, 3d Infantry Division

FOR Chief of Staff, 3d Infantry Division

SUBJECT: Type of Condolence Payment (Death and Property Damage) 256-BCT-179 and 256-BCT-180

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

2. DATE OF INCIDENT OR DAMAGE: 211315MAY05

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

4. DESCRIPTION: A local national, (b)(6) was driving in the vicinity of Route Irish. As a taxi driver, he had two passengers (names unknown) in the vehicle with him. At approximately 211315May05, an insurgent vehicle fired across traffic upon a Coalition Forces convoy, seriously injuring one US soldier. Coalition Forces returned fired at the insurgents, and during the engagement, this vehicle was struck by several bullets. As a result, (b)(6) was killed and his vehicle was damaged.

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 Death of Son
\$ 1,000 Property Damage to Vehicle
\$3,500

7. POINT OF CONTACT: MAJ (b)(3), (b)(6), Claims Judge Advocate. VOIP (b)(2)High NIPR:
(b)(3), (b)(6) @us.army.mil.

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

I concur with the payment.

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

LTC, JA
Staff Judge Advocate

CENTCOM 004151



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 256th BRIGADE COMBAT TEAM
CAMP LIBERTY, IRAQ
APO AE 09326

ATZQ-256BCTSJA

26 May 2005

MEMORANDUM FOR Commander, 256th Brigade Combat Team, APO AE 09326

SUBJECT: AR 15-6 Investigation, Drive by Shooting, 2 Soldier WIA, 2 LNs WIA, 1 LN KIA
Unit/Location: A Co 1088th and C Co 2-156 (TF 1-69)
Date of Incident: 21 May 2005
256 BCT No.: 05-173

1. The subject investigation was reviewed, as requested, for legal sufficiency IAW AR 15-6. The findings are supported by a preponderance of the evidence. As directed in the appointment letter, no specific levels of disposition or punishments were made.
2. The findings are supported by the evidence and are therefore legally sufficient.
3. As the appointing authority, you may approve the findings without further review by this office.
4. POC for this memorandum is the undersigned at VOIP (b)(2)High

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

LTC, JA
Legal Reviewer

CENTCOM 004152



TASK FORCE 1-156
CAMP LIBERTY, IRAQ
APO AE 09326



FIVA-256 -BDB-Z

25 May 2005

MEMORANDUM FOR COMMANDER, 256TH BCT, Camp Liberty, Iraq, APO AE 09326

SUBJECT: 15-6 Investigation Findings: 256 BCT Investigation #05-173

1. Enclosed are the 15-6 and all associated exhibits for this investigation.
2. I asked to be released from further duty on this matter.
3. Point of contact for this information is MAJ (b)(3), (b)(6) @ (b)(2)High or (b)(3), (b)(6) @us.army.mil.

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

Encls
as

MAJ, AR, USA
Investigation Officer

CENTCOM 004153

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by BG John P. Basilica, Commander, 256 BCT, Camp Liberty, Iraq

(Appointing authority)

on 22 May 2005 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (3), (b)(1) (Investigating officer/board) commenced at Camp Liberty, Iraq (Place) at 1500 (Time) on 22 May 2005 (Date) (If a formal board met for more than one session, check here ☐. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (3), (b)(1) (Investigating officer/board) finished gathering/hearing evidence at 1500 (Time) on 25 May 2005 (Date) and completed findings and recommendations at 1700 (Time) on 25 May 2005 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO ^{1/}	NA ^{2/}
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	X		
	b. Copy of notice to respondent, if any? (See item 9, below)			X
	c. Other correspondence with respondent or counsel, if any?			X
	d. All other written communications to or from the appointing authority?			X
	e. Privacy Act Statements (Certificate, if statement provided orally)?			X
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
	g. Information as to sessions of a formal board not included on page 1 of this report?			X
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: ^{1/} Explain all negative answers on an attached sheet.

^{2/} Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

	YES	NO ^{1/}	NA ^{2/}
2 Exhibits (para 3-16, AR 15-6)			
a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X		
f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X		
g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3 Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)			
4 At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8 If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)			
9 Notice to respondents (para 5-5, AR 15-6):			
a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
b. Was the date of delivery at least five working days prior to the first session of the board?			
c. Does each letter of notification indicate—			
(1) the date, hour, and place of the first session of the board concerning that respondent?			
(2) the matter to be investigated, including specific allegations against the respondent, if any?			
(3) the respondent's rights with regard to counsel?			
(4) the name and address of each witness expected to be called by the recorder?			
(5) the respondent's rights to be present, present evidence, and call witnesses?			
d. Was the respondent provided a copy of all unclassified documents in the case file?			
e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
a. Was he properly notified (para 5-5, AR 15-6)?			
b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11 Counsel (para 5-6, AR 15-6):			
a. Was each respondent represented by counsel?			
Name and business address of counsel:			
(If counsel is a lawyer, check here <input type="checkbox"/>)			
b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a. Was the challenge properly denied and by the appropriate officer?			
b. Did each member successfully challenged cease to participate in the proceedings?			
13 Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b. Examine and object to the introduction of real and documentary evidence, including written statements?			
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d. Call witnesses and otherwise introduce evidence?			
e. Testify as a witness?			
f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14 If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15 Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			
FOOTNOTES: ^{1/} Explain all negative answers on an attached sheet. ^{2/} Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.			

(3), (b)

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The investigating officer (board), having carefully considered the evidence, finds:

That on 21 May 2005, an IED was discovered on (b)(2)High by a patrol of B/2-156 IN. Once the IED was discovered, B/2-156 IN called for EOD to report to the site and detonate the IED. A/1088 EN under the command of SFC (b)(3), (b)(6) escorted EOD to the site. Outer security was established by B/2-156 IN. Once arriving at the IED site, A/1088 EN coordinated with CPT (b)(3), (b)(6) (OIC on the ground). Adjustments were made to the Outer Cordon and EOD moved in to disarm or blow the IED. The area began to receive mortar fire close to the location of the inner and outer cordon of the IED site. Next, soldiers of A/1088 noticed a white car traveling back and forth (East-West) on the Service Road, north of (b)(2)High. A/1088 EN soldiers contacted B/1-156 IN (CPT (b)(3), (b)(6)) about this suspicious activity. CPT (b)(3), (b)(6) repositioned a M1114 in the median of the road to observe (and possibly react) to this threat. The white car passes again, and the soldiers in the M1114 began chase of this vehicle moving East on the Service Road of (b)(2)High. Once the chase began 2 additional events occurred; 1) a Green sedan pulled between 2 buildings facing the soldiers of both A/1088 and B/1-156 IN and began to fire - hitting SGT (b)(3), (b)(6) in the neck (seriously injuring him). 2) Two additional vehicles pulled close to the firing vehicle. Some occupants of both of these vehicles exited the vehicles and ran toward the building behind the firing vehicle. At this point, soldiers of A/1088 EN began to return fire on the Green sedan. B/2-156 IN did not have a clear shot to the Green LN sedan (Shooter). The statements of SGT (b)(3), (b)(6) 2LT (b)(3), (b)(6), SPC (b)(3), (b)(6) SPC (b)(3), (b)(6) and SGT (b)(3), (b)(6) of A/1088 EN (Exhibit III) verify this series of events. During this exchange of fire, the 2 other Local National vehicles were hit - killing one passenger and injuring two others. It is very important to note that both LN vehicles were hit both by fire from A/1088 and the Green LN vehicle (Shooter). It is impossible to determine who actually shot the LNs in question due to bullet damage to both sides of the vehicle. SGT (b)(3), (b)(6) was MEDEVAC'ed via air. The 3 Local Nationals that were hit were attended by B/2-156 IN personnel and Iraqi Police, who escorted the injured to the LN hospital. It is evident through my interviews of the soldiers involved from A/1088 EN and CPT (b)(3), (b)(6) (Exhibit IV) of B/2-156 IN that proper ROE, policies and guidelines were established when setting the cordon (inner and outer) when establishing the IED recovery site. It is also my findings that A/1088 EN acted IAW established and published ROE when returning fire. It is unfortunate that 2 LN vehicles were caught in the middle of this fire - but this fire was necessary as the units has taken casualties and absolutely had the need to defend themselves. Furthermore, as stated previously, there was bullet damage on both sides of the damaged 2 LN vehicles making it impossible to determine who actually injured the occupants and damaged the vehicles. A series of sketches of this incident are included (Exhibit V).

(3), (b)

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the investigating officer (board) recommends:

Since the unit involved followed all applicable ROE, my recommendation would be to continue to reinforce ROE understanding and use throughout the 256 BCT.

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

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

(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

Concur.

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

COL, IN
Acting Commander

Index of Exhibits, 256 BCT Investigation # 05-173

MAJ (b)(3), (b)(6) Investigating Officer

Exhibit I: Appointment Letter

Exhibit II: 1088 EN BN SIR (Subject Same)

Exhibit III: DA Form 2823, A/1088 EN

Exhibit IV: DA Form 2823, CPT (b)(3), (b)(6) B/1-156 IN

Exhibit V: Sketch of Incident



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 256th BRIGADE COMBAT TEAM
CAMP LIBERTY, IRAQ
APC AE 09326

S: 25 May 2005

ATZQ-256BCT

22 May 2005

MEMORANDUM FOR Major (b)(3), (b)(6) 1-156 AR, APC AE 09326

SUBJECT: Appointment of Investigating Officer
Drive by Shooting, 2 Soldiers WIA, 2 Local Nationals WIA, 1 Local National KIA,
A Co 1088th and C Co 2-156 (1-69)
256 BCT No.: 05-173

1. You are hereby appointed Investigating Officer pursuant to AR 15-6 to conduct an informal investigation into the above referenced incident which occurred on or about 21 May 2005. You should rely on your military knowledge and experience when ascertaining the facts relative to the investigation and in the framing of your recommendations.
2. In your investigation, collect required sworn statements on DA Form 2823, Sworn Statement, ensuring that they are properly completed.
3. All interviewees suspected of possible Uniform Code of Military Justice violations will execute DA Form 3881, Rights Warning Procedure/Waiver Certificate.
4. Submit your findings and recommendations on DA Form 1574 to this headquarters within 72 hours. Your findings should include a comprehensive and chronological description of events as well as your understanding of why the incident occurred. Recommendations should include but not be limited to corrective actions designed to prevent future occurrences of the same or similar incidents. In the event your recommendations include disciplinary action, do not recommend specific levels of disposition or punishments.
5. At the conclusion of your investigation, you will submit your DA Form 1574 and all exhibits to the Staff Judge Advocate for legal review.

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

COL, IN
Acting Commander

EXHIBIT I

CENTCOM 004159

#05-173

MAT

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

1-156

**256 BCT TSOP
REPORTS**

912 - SERIOUS INCIDENT REPORT (BLUE 12)

FROM: 1088th ENG BN, BTL CPT

TO: (b)(3), (b)(6)

SUBJECT: Serious Incident Report, Number (b)(2)High

1. Category: 1
2. Type of Incident: Gunshot wound
3. DATE/TIME: 211315MAY05
4. Location: (b)(2)High
5. Other Information
 - a. Training related: NO
 - b. Firing incident: NO

6. Personnel Involved:

a. Subject:

1) Name:

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

- a) Rank or Grade: SGT
- b) Social Security Number: (b)(3), (b)(6)
- c) Race: White
- d) Sex: Male
- e) Age: 21
- f) Position: Dismount
- g) Security Clearance: Y or N: No
- h) Unit; Station of Assignment: A/1088th, Camp Tigerland, Iraq
- i) Duty Status: Active/Present

2) Name:

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

- a) Rank or Grade: SPC
- b) Social Security Number: (b)(3), (b)(6)
- c) Race: White
- d) Sex: Male
- e) Age: 22
- f) Position: Vehicle Commander
- g) Security Clearance: Y or N: No
- h) Unit; Station of Assignment: A/1088th, Camp Tigerland, Iraq
- i) Duty Status: Active/Present

Summary of Incident: While out on EOD Escort mission patrol was securing IED site on [REDACTED] The patrol received small arms fire from a green sedan in an alley approximately (2) meters from the North. SGT (b)(3), (b)(6) (dismount) received a gunshot wound to the neck. The remainder of the escort team (inner cordon) and a 1/69th patrol (outer cordon) engaged the green sedan with small arms fire. Two local national vehicles (1XLN each) were caught in between the green sedan and the EOD Escort team which was returning fire. The green vehicle that fired on the patrol then drove away. The two local national vehicles were disabled during the exchange of fire, resulting in one local

CARD 912

EXHIBIT II

CENTCOM 004160

31248

256 BCT TSOP REPORTS

national KIA and 2 other WIA. SGT (b)(3), (b)(6) received immediate medical aid onsite and was MEDEVAC'd to the CSH. SPC (b)(3), (b)(6) received minor shrapnel and secondary fragmentation to the neck (from the received fire). SPC (b)(3), (b)(6) is being treated for the injuries at Camp Tigerland TMC.

Commander Reporting: (b)(3), (b)(6) LTC

7. Point of Contact: 1088th ENG BN TOC, CPT (b)(3), (b)(6)

8. Downgrading Instructions: N/A

9. Report Originated by: CPT (b)(3), (b)(6) A/1088th Cdr

10. Report Released By: MAJ (b)(3), (b)(6) BN S-3

11. Notification:


Position: Name: Time:

CARD 912

CENTCOM 004161

Portal

Home | SigActs | Log out (logged in as: **guest**)

Sigact 	
Name	(b)(2)High
Event Type	DRIVE BY SHOOTING
Time Observed	05/21/05 13:31
Grid Coords	(b)(2)High
Affiliation	HOSTILE
Color	(2)Hi
Outcome	
Place Name	DA MNF
Zone	(b)(2)High
Quantity	
Comments	SIGACT (b)(2)High AND A/1088EN EOD ESCORT REPORTS TAKING SAF FROM A GREEN SEDAN RESULTING IN 1 US WIA GSW TO NECK. BOTH UNITS ENGAGED VEHICLE. 2 LN WERE CAUGHT IN THE CROSSFIRE. 1 X LN KILLED 2 X LN WOUNDED PRIORITY GREEN SEDAN ESCAPED SCENE 1336: AIR MEDEVAC DUSTED OFF WITH US WIA. 1343: AMBULANCE ON SCENE AT SITE FOR WOUNDED LN. 1351: US WIA ARRIVED AT 86 CSH 1515: DEBRIS HIT SECOND WIA IN THE THROAT VERY SUPERFICIAL AND RTD. ALSO 1ST WIA IS IN SURGERY AT CSH. SUMMARY DRIVE BY SHOOTING 1 X LN KILLED 2 X LN WOUNDED 2 X US WIA 1 MINOR F (b)(2)High
Created	(b)(2)High
Modified	(b)(2)High

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 (b)(2)High	2. DATE /YYYYMMDD/ 2005/05/21	3. TIME 1730	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)		6. SSN (b)(3), (b)(6)	7. GRADE/STATUS E-5

8. ORGANIZATION OR ADDRESS
Co A 1088th EN BN

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

On the 21st of May of 2005, we were attacked with mortars and were on the receiving end of small arms fire/machine gun fire. We, being Charlie team of 2nd Platoon of A Co 1088 ENGR BN. We were on an EOD mission. I, SGT (b)(3), (b)(6) was a gunner for the rear gun truck. After we arrived on site we were attacked by mortars. Two mortars were fired right over our heads. Afterwards, my comrads and I noticed suspicious activity from the local nationals. SGT (b)(3), (b)(6) SPC (b)(3), (b)(6), and CPL (b)(3), (b)(6) who were all passengers in the rear gun truck, were dismounted at the time. They noticed a two door white car that kept making the block over and over again. The white car was reported to higher. The outer cordon waited for the car to pass back so that they can go after it. The white car passed back. The gun truck waiting for it took off to go after it. Once they got on the street in front of our position, three cars pulled up real close to them. I then aimed at the car (orange and white car) that was closest to the friendlies. The car didn't back up. We then received gun fire from the very same alley the car was stopped in front of. I could hear the rounds land close to me, so I got down. I then stood up and returned fire with my M-16 A-4. I engaged the very same car I was aimed at before I got down, who I believed to be the trigger men. SGT (b)(3), (b)(6) was shot SPC (b)(3), (b)(6) dragged SGT (b)(3), (b)(6) to cover in back of my gun truck. A Medevac was called.

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

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

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

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

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 2 PAGES

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 INDICATED.

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION (b)(2)High	2. DATE (YYYYMMDD) 2005/05/21	3. TIME 1800	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)		6. SSN (b)(3), (b)(6)	7. GRADE/STATUS 2LT/NG

8. ORGANIZATION OR ADDRESS
A/1088 EN BN

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

While on an EOD escort mission, we noticed a white 2 door car with a dent in the driver side rear quarterpanel that had passed our location three times earlier. We coordinated with 1/69th, who was our outer cordon security, to provide a chase vehicle if the car appeared again. The car appeared and we informed the chase vehicle of it's location. They proceeded north from (b)(2)High to the northside service road and turned east on said road. When they passed the first alley after the turn, I heard automatic weapons fire coming from the north and bullet impacts near my feet. I was standing to the west of (b)(2)High and took cover on the southside of the same vehicle. I saw dust and smoke coming from the alley and returned suppressive fire down the alley. I fired approximately twenty rounds, looked to my right and saw SGT (b)(3), (b)(6) lying on his back. I yelled for SPC (b)(3), (b)(6) to recover SGT (b)(3), (b)(6). He proceeded to recover SGT (b)(3), (b)(6) by pulling him from SGT (b)(3), (b)(6) right shoulder and I pulled SGT (b)(3), (b)(6) by the left arm. We pulled SGT (b)(3), (b)(6) behind (b)(2)High and I yelled at SPC (b)(3), (b)(6) to get my aid bag out of (b)(2)High. When I looked at SGT (b)(3), (b)(6) SPC (b)(3), (b)(6) was attending to him. I asked where SGT (b)(3), (b)(6) was hit and SPC (b)(3), (b)(6) told me in the neck. I uncovered the wound and applied direct pressure with my right hand while SPC (b)(3), (b)(6) procured a kerlix roll to bandage the wound. SPC (b)(3), (b)(6) then began an IV in the Left antecubital space of SGT (b)(3), (b)(6) and I instructed SPC (b)(3), (b)(6) to Provide direct pressure on the wound. I instructed SPC (b)(3), (b)(6) to prepare an IV bag while I prepped SGT (b)(3), (b)(6) right arm for an IV. I initiated an 18g IV in the Right antecubital space of SGT (b)(3), (b)(6) and received the line from SPC (b)(3), (b)(6). The vein blew when I connected the bag and I initiated another IV in the same location, one vein distal. I secured the site with tape and secured SPC (b)(3), (b)(6) site also. I then instructed SPC (b)(3), (b)(6) to begin cutting away SGT (b)(3), (b)(6) clothing to check for further injuries to his torso and upper body. We log rolled SGT (b)(3), (b)(6) onto a litter, secured his C-spine with three aid bags, and taped his head down onto the stretcher. We removed his boots and exposed his legs for further evaluation and secured his hands and legs to the litter. (b)(2)High had been called and landed approximately 30 seconds after we completed primary treatment. SPC (b)(3), (b)(6) heard direct pressure on my instruction the entire time and I briefed the dustoff medics on the neck wound and the treatment rendered. (b)(2)High departed moments later and I policed up SGT (b)(3), (b)(6) weapon and ACH, turning said items over to the A CO TOC when we arrived back after mission completion. Nothing else follows.

(b)(3), (b)(6)		(b)(3), (b)(6)	
11. INITIALS (b)(3), (b)(6)		PAGE 1 OF 2 PAGES	

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

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1. LOCATION (b)(2)High	2. DATE (YYYYMMDD) 2005/05/21	3. TIME 1730hrs	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)		6. SSN (b)(3), (b)(6)	7. GRADE/STATUS E-4

8. ORGANIZATION OR ADDRESS
Co A 1088th En Bn

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

While pulling security during EOD, we were engaged with small arms fire. We watched a blueish green car and also a white car pass by several times. We reported up to SFC (b)(3), (b)(6) Then went back to pulling security. Sgt (b)(3), (b)(6) Spc (b)(3), (b)(6) and myself were watching the ally way. Waiting to see if we would see the white car again. We saw the car and the onsite security was going after it. And as soon as they got pass the ally thats when we received small arms fire. We started shooting at the car while Spc (b)(3), (b)(6) pulled Sgt (b)(3), (b)(6) behind the humvee. Sgt (b)(3), (b)(6) was struck in the neck. I applied pressure while Spc (b)(3), (b)(6) and 2LT (b)(3), (b)(6) gave him IV's. Then the chopper came to EVAC Sgt (b)(3), (b)(6)

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

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

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

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

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT (3), (b) PAGE 1 OF 2 PAGES

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 INDICATED.

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION (b)(2)High	2. DATE (YYYYMMDD) 2005/05/21	3. TIME 1340	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS E-4/SPC	

8. ORGANIZATION OR ADDRESS
A Co 1088th

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

At around 1340 on May 21, 2005 we recieved small arms while on an EOD mission on (b)(2)High. I was pulling security when I felt dirt flying from off the ground so I knew they were firing in our direction. I returned fire at the green sedan that had stopped in the alley way directly in front of me. Then I felt Sgt (b)(3), (b)(6) try to grab me as he fell to the ground because he had a gunshot wound to the neck. I yelled for suppressive fire so I can pull Sgt (b)(3), (b)(6) out of harms way in front of UHO6, and then I pulled security. After that I helped 2LT (b)(3), (b)(6) CPL (b)(3), (b)(6) SPC (b)(3), (b)(6) and SPC (b)(3), (b)(6) administer first aid on SGT (b)(3), (b)(6). Within minutes an air medevac came to get SGT (b)(3), (b)(6) and we finish our mission and came back to Liberty.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 2 PAGES

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

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION (b)(2)High	2. DATE (YYYYMMDD) 2005/05/21	3. TIME 1340	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS E4	
8. ORGANIZATION OR ADDRESS A CO 1088 ENGR BN 256 BCT			

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

AT 1340 ON 21 MAY 05 WHILE CONDUCTING EOD ESCORT, OUR CONVOY WAS AMBUSHED WITH SMALL ARMS FIRE. I REALIZED THE SHOTS WERE COMING FROM THE ALLEY FROM A GREEN CAR, SO I BEGAN TO SUPPRESS THE ENEMY FIRE WITH MY 240B SO SGT (b)(3), (b)(6) WHO HAD SUSTAINED A BULLET WOULD TO THE NECK COULD BE TAKEN OUT OF THE KILL ZONE. WITH BULLETS FLYING AROUND, SP (b)(3), (b)(6) WITHOUT HESITATING, PULLED SGT (b)(3), (b)(6) TO THE REAR OF UH 06, AT THE TIME THE ONLY PLACE OF RELATIVE SAFETY. AFTER THE FIREFIGHT ENDED, LT (b)(3), (b)(6), SPC (b)(3), (b)(6), SPC (b)(3), (b)(6), SPC (b)(3), (b)(6) CPL (b)(3), (b)(6) BEGAN TO STABLIZE SGT (b)(3), (b)(6) CONDITION. SFC (b)(3), (b)(6) CALLED UP THE MEDEVAC, WHICH ARIVED ABOUT 15-20 MINUTES LATER. SGT (b)(3), (b)(6) WAS FLOWN OUT BY CHOPPER AND WE FINISHED OUR ESCORT MISSION WITH NO OTHER INCIDENT.///NOTHING FOLLOWS///

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

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

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

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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SWORN STATEMENT

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PRIVACY ACT STATEMENT

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ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filling and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION BAGHDAD, IRAQ	2. DATE (YYYYMMDD) 20050525	3. TIME 2300	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3)(b)(6)	6. SSN (b)(3)(b)(6)	7. GRADE/STATUS CPT/ARNG	
8. ORGANIZATION OR ADDRESS CO B 2-156 TH IN (M)			

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

On 21 May 2005 at approximately 1100 hours I encountered an IED with my patrol of 3 each M114s. The IED was located between (b)(2)High and (b)(2)H on the westbound lane on the south shoulder of the road. I called TF 1-69 TOC and sent a request for EOD to come and respond. I set up an outer cordon to facilitate EOD in an inner cordon with 3 each M114s and 1 M2A2 Bradley Fighting Vehicle. The three M114's were in the west bound lane about 150 meters east of the IED site. I positioned the M2A2 in the northern median between the west bound lane and the northern service road of (b)(2)High. EOD escort called me at approximately 1230 hours and let me know they were on the way on my company FM net. I guided them to my location by giving them a description of a "orange jersey barrier" at my location between CP 540 and 541. EOD along with EOD escort arrived at my location traveling east in the westbound lane of (b)(2)High. I linked up with the NCOIC, SFC (b)(3), (b)(6) and place him inside of my outer cordon. I gave EOD a description of the IED and they launched their robot. After initial investigation and a charge of DET CORD the IED was 2 pipe cylinders, a battery and a Motorola radio. EOD said they would do a controlled DET. I warned SFC (b)(3), (b)(6) about the enemy activity that we had received in this area with small arms and RPG fire from the north and recommended to him to watch the north. I additionally described to him a TTP that AIF was using in the area is a look out vehicle who would drive by and conduct ISR. I told him to let me know if he sees the same vehicle making several passes on the northern service road. At approximately 1240 hours 2 rounds of 60 MM mortar fires were observed impacting on the southern median of (b)(2)High. I ordered everyone to button up and hold in place so that EOD could continue their mission. I had planned on moving to the east if rounds were "walked" in our direction. There were no additional impacts of indirect fire during the incident. As EOD was preparing the demolition charge, I was informed of a white sedan with a dent on the fender making several passes. I instructed my 2nd PLT, 1st Squad Leader, SGT (b)(3), (b)(6) to prepare for a "pounce," (b)(2)High (b)(2)High SFC (b)(3), (b)(6) cleared the air space through the 1088th EN TOC for the controlled detonation and EOD finalized their preparations for the charge, when SGT (b)(3), (b)(6) postured his vehicle to the north of the A/1088 inner cordon oriented on the northern service road to intercept the AIF scout. At approximately 1310 EOD detonated the first charge and it was a "dud." They began preparing a second charge when the white sedan made a third pass on the northern service road. As the car made its third pass, SGT (b)(3), (b)(6) moved across the northern median and turned east on the northern service road. At 1315 when he moved past the first north/south road adjacent to (b)(2)High Road" I witnessed a burst of automatic machine gun fire from an RPK machine gun from the road SGT (b)(3), (b)(6) just passed. Most of the rounds from the machine gun fire impacted the northern median to the north of A/1088's inner cordon and rounds ricocheted in different directions. This was evident by the tracer rounds used by AIF. At this time I aimed my M-4 at the north/south road and used the door of my M114 to shield me. I could not identify a target nor could any soldiers in my unit. As soon as the enemy opened fire A/1088 fired back at the insurgents with 240 B and M-4/M-16 direct fires. I radioed to my TF TOC that I was in direct fire contact. I noticed two local national vehicles traveling west along the northern service road and drove into the cross fire between A/1088th and the insurgents. The two LN cars were a gray 4 door sedan and a orange and white sedan. The gray car was in the lead with three occupants, 2 adult males and 1 male teenager. The second vehicle, the orange and white sedan, contained two adult males. During the ensuing firefight, I saw the occupants of both cars and attempt to exit the area by low crawling. SGT (b)(3), (b)(6) dismounted his vehicle with two soldiers in order to maneuver on the insurgent's vehicle to their north. I ordered a seize fire when I saw SGT (b)(3), (b)(6) dismount. SGT (b)(3), (b)(6) moved back west to the north/south road where the insurgents fired and peered around the corner. He then moved around the corner and could not locate the vehicle in question. He did identify the vehicle as a green sedan, BMW. I then called for a casualty assessment and my units reported no injuries or damage. I then asked who fired, and none of my units fired. I saw the local nationals in the vehicles, who did not dismount, were injured so I moved my vehicle to the incident site and directed my medic to assess the casualties. The assessment came as 1 adult male LN KIA, 1 male teenager LN litter urgent, and 1 LN adult male litter routine from the gray sedan. The orange and white sedan occupants sustained no injuries. I looked at the injured and they had wounds to both sides of the body, the KIA had wounds on the side of the body facing A/1088. I looked at the vehicles caught in the cross fire and noticed entrance holes and exit holes from the north and the south. Clearly, it was the "wrong place at the wrong time" for the gray sedan and orange and white sedan. I requested IPs and an ambulance to transport the wounded as I conducted my investigation. While I was waiting for the ambulance and IPs I noticed an air MEDEVAC helicopter landing on (b)(2)High in the vicinity of A/1088. It was at that time I discovered that they had casualties. IPs arrived on scene as well as the ambulance to evacuate the LNs. I (b)(3)(b)(6) back to my position of the outer cordon and EOD detonated the second detonation successfully. I thanked SFC (b)(3), (b)(6) and wished him well for the soldier that was wounded in the firefight. At approximately 1420 A/1088th and EOD left the site and I continued my mission of route security and route clearance on (b)(2)High

NOTHING FOLLOWS

10. EXHIBIT

11. INITIAL OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 1 OF 2 PAGES

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STATEMENT OF (b)(3), (b)(6) TAKEN AT 1900 DATED 08 APR 05

9. STATEMENT (Continued)

AFFIDAVIT

I, (b)(3), (b)(6) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON (b)(3), (b)(6) AND 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 COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person making Statement)

WITNESS:

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

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

1 B Co. 2/156
ORGANIZATION OR ADDRESS

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

1 B Co. 2/156
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oath, this 25 day of MAY 2005

at 2300 H

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

(Signature of Person Administering Oath)

MAJ

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

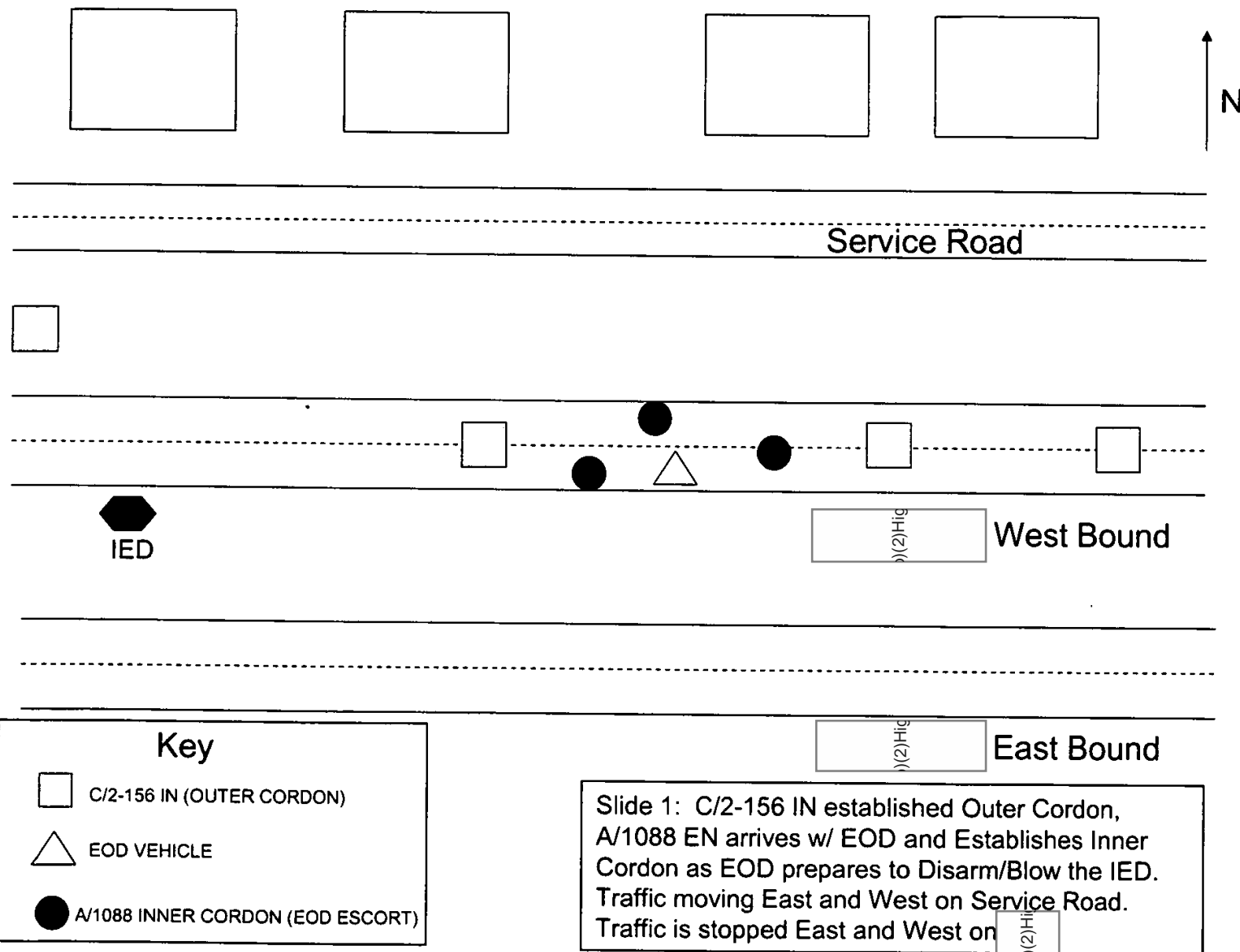
(Type Name of Person Administering Oath)

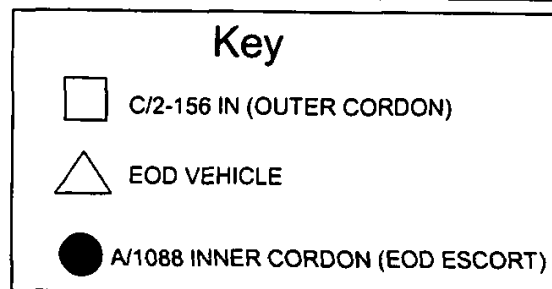
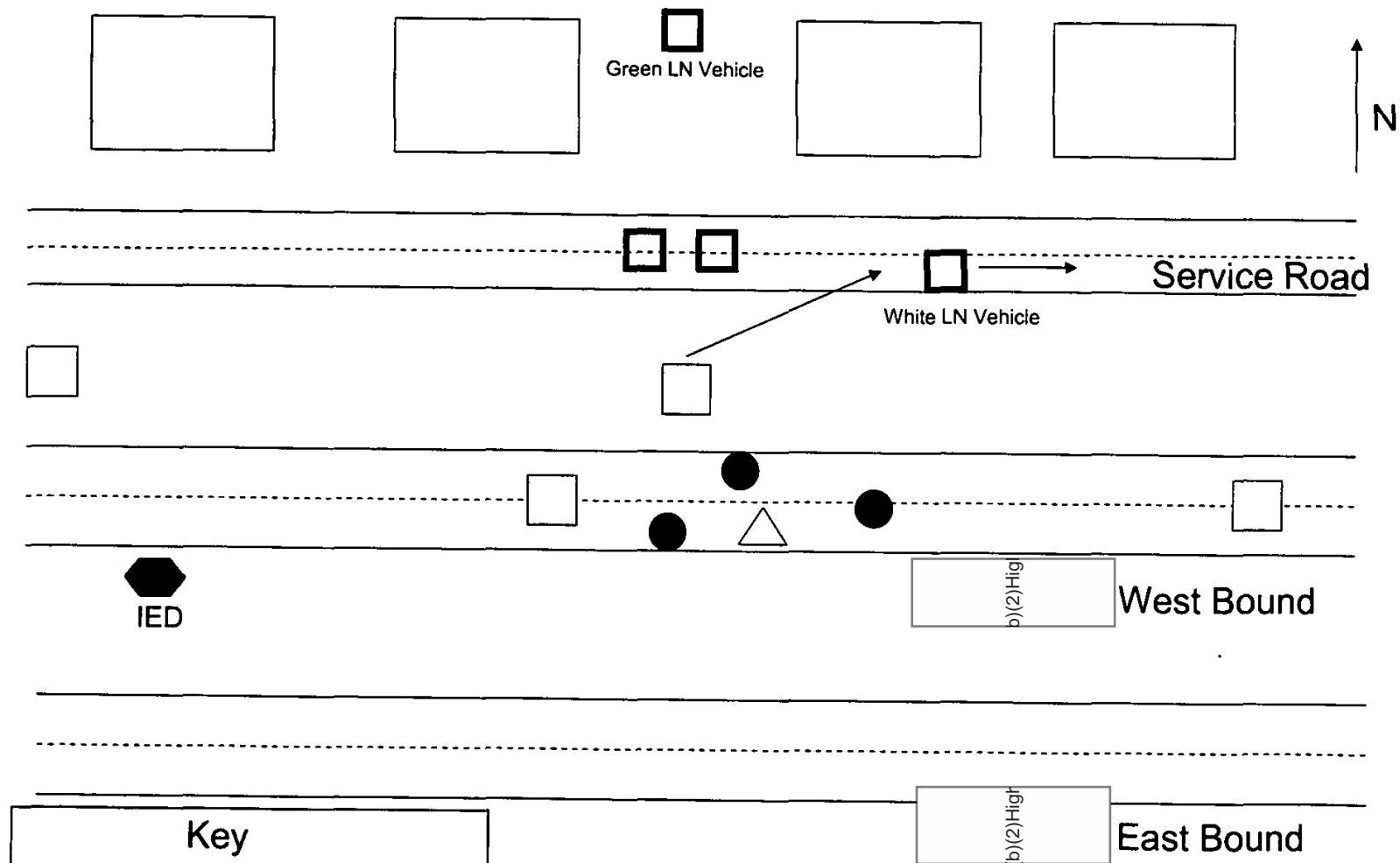
INVESTIGATING OFFICER

(Authority To Administer Oaths)

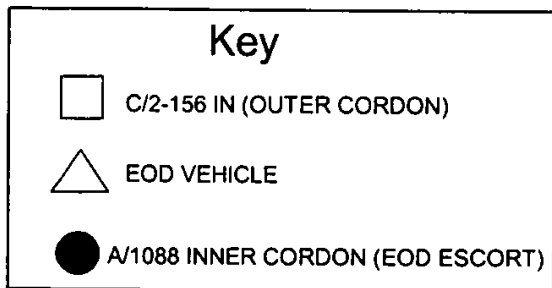
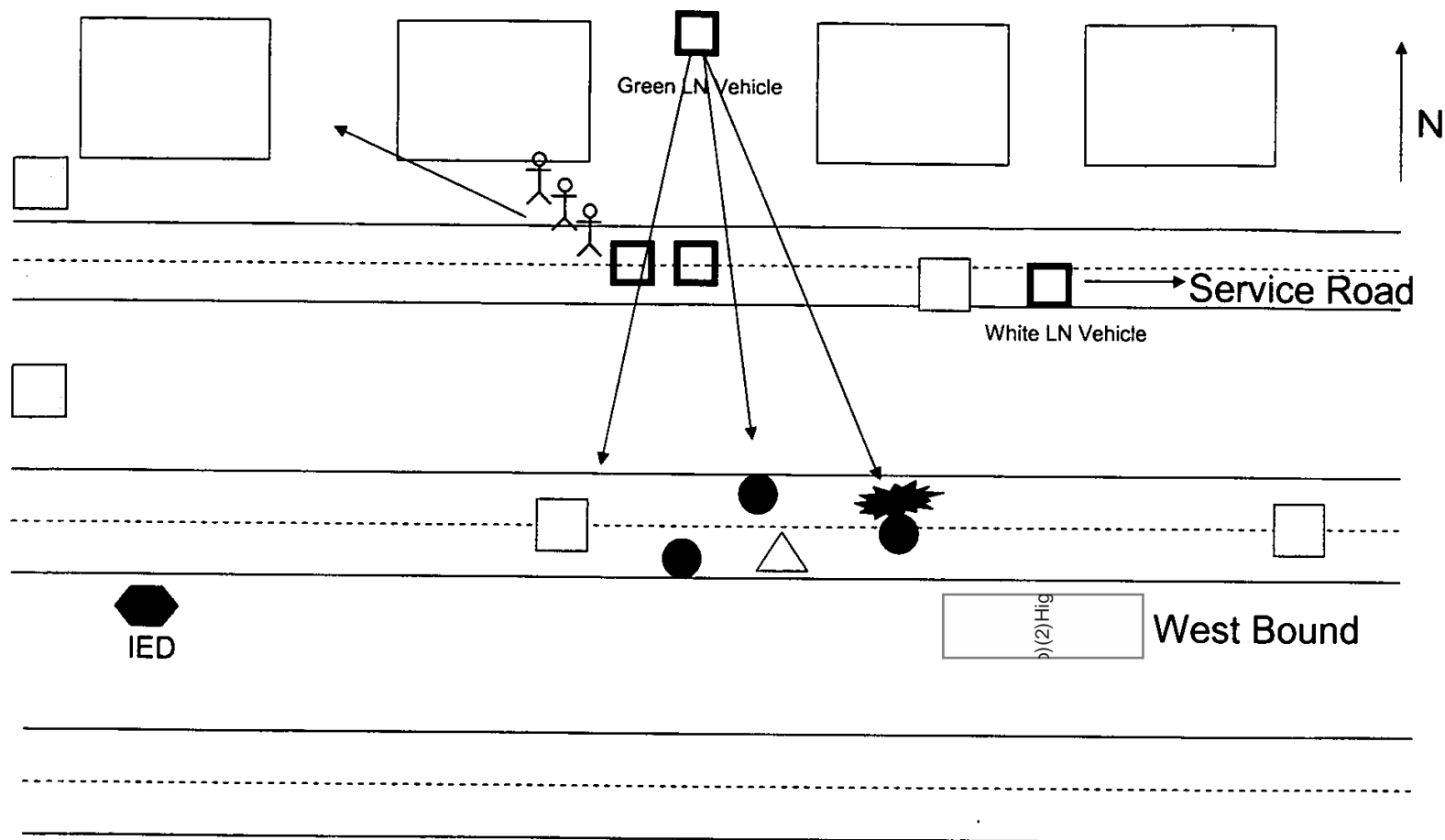
INITIAL OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES





Slide 3: White LN sedan reappears and moves East on Service Road. C/2-156 IN vehicle begins chase. A Green LN vehicle appears between 2 buildings facing [b)(2)High]. An additional 2 LN vehicles are moving on Service Road



Slide 4: Green LN vehicle fires at both units – hitting rear vehicle of A/1088 (SGT (b)(2) Hig (b)(3)). A/1088 EN return fire (C/2-156 IN has no clear shot). Some occupants of 2 other LN vehicles dismount and run away. The 2 LN vehicles are hit by fire from Green LN Sedan (Shooter).