8. STATEMENT (Continued)

Q1. How long were you in position?
A: For about 15 minutes.

Q2. Was there a consent to wire or cones or anything present?
A: Yes, there were wire and cones.

Q3. What measures were used before deadly force?
A: We used the .50 caliber gun for warning shots, then we shot to kill.

Q4. How many rounds were fired?
A: I do not know exactly, but it was around 10 or so.

Q5. Why did you leave the scene?
A: We left the scene because the situation was under control.

Q6. Did you take any pictures?
A: Upon return to area, we stopped in garage and acquired pictures, and the area was secured.

Q7. How fast was the vehicle moving?
A: I do not know.

Q8. What obstacles were there?
A: Because we were operating in a roll mission.
9. STATEMENT (Continued)

Q9. CAN YOU DRAW A PICTURE OF THE SCENE?
A. [REDACTED]

Q10. WHAT TYPE OF VEHICLE WAS IT?
A. [REDACTED]

Q11. HAVE YOU RECEIVED AN ARREST GRIEF?
A. SEVERAL TIMES, THE LAST TIME WAS BY CAT

END OF STATEMENT

AFFIDAVIT

I, [REDACTED], have read or have had read to me this statement which begins on page 1 and ends on page 3. 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.

Witnesses:

[Signature]

[Signature]

Organization or address:

[Address]

[Name]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of October, 2005, at

[Signature]

[Name]

Authority to Administer Oaths: [Authority]

Page 3 of 3 Pages

PAGE 3, DA FORM 2823, DEC 1999
SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 16 USC Section 301; Title 9 USC Section 295a; E.O. 12367 dated November 22, 1983 (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 means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION (b)(1)

5/4 MENT TAC

2. DATE (MMDDYY)

20051005

3. TIME

1508

4. FILE NUMBER

5. (b)(6)

6. (b)(6)

7. GRADE/STATUS

E-6

8. UNIFORMED UN NUMBER

2nd BCT 4TH INF DIV

9. (b)(6)

WANT TO MAKE FOLLOWING STATEMENT UNDER OATH:

AT ABOUT 1000 I WAS GUARDING SOLDIERS DOWN LEADING BARRIERS. WE HAD BEEN ON LOCATION 2 HOURS. I HEARD 1-2 SHOTS AND MOVED AROUND THE CORNER TO MY TRUCK. AS I CAME AROUND THE CORNER THE CAR WAS STILL MOVING AND SGT (b)(6) SHOT 6-8 SHOTS INTO THE CAR. I CALLED FOR INF TO CHECK THE DRIVER AND AT TIME IIPs MOVED FORWARD AND REMOVED THE DRIVER FROM THE CAR. A CALL WENT OUT TO THE ICOM FOR OUR MEDIA. BY THE TIME THE IIPs WERE LOADING THE DRIVER INTO THEIR TRUCK TO MOVE HIM TO THE HOSPITAL LT (b)(6) CALLED HIGHER AND TO LEAVE. WE HAD FINISHED CLEANING BARRIERS SO LT (b)(6) CALLED HIGHER AND TOLD THEM WE WERE LEAVING AND GAVE THEM A STAPLE. I MOVED SGT (b)(6) TO THE GUNNER POSITION AND PFC TO THE GUNNER POSITION AND MOVED BACK TO BASE.

10. EXHIBIT

F

GLOSSARY STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ____________ AT ____________

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.

DA FORM 2323, DEC 1999

DA FORM 2323, JUL 72, IS OBSOLETE
6. When I first seen the car, it was moving between 5 and 10 mph and it stop about 5 feet from my truck.

7. We did not use obstructions because we were using the street to move from place to place.

8. No pictures were taken because the Ink stained the car and we did not want to move around the car.

9. [Handwritten diagram showing location and other details.]

10. Four Door Sedan, Black

11. I have had two and I have given three or four.
Distance from LN to A23 - 200m

Actually, drivers on the sidewalk to cross the traffic so he could continue southbound.

At this point, the LN collision course with A23 (SGT and PFC) is.

This slide depicts the LN bypassing traffic by swerving into the opposite lane on a
decision 1-71 CAV, 15 ECT 104 MTN

Involving A TRP, 1-71 CAV, 15 ECT 104 MTN

LN Shooting 5 October 2006

Story Book Presentation

Enclosure G
Distance from LN to A23: 150m to 100m

In attempting to stop the LN driver, the LN driver ignores and continues south. As this point A23 uses "STOP" paddles and hand and arm signals to include yelling.
Distance from LN to A23: 75m Warning Shots; 50m shots into engine block

High rate of speed toward A23.

Fire a few disabling shots into the engine. LN still continues at a

SGT and PFC

to stop. A few seconds go by and the LN is still moving towards them. SGT

SGT and PFC

Fire warning shots in an attempt to force the vehicle
12005

Distance from LN to A23: 30m to 40m; vehicle comes to a stop 5m to 10m from A23.

Personnel and equipment: makes decision to use deadly force as a last resort to stop threat to his
DTC: 0609000C105

Photo taken day after the incident.

View looking South (direction of travel of LN Driver) at 5ET position.
Photo taken day after the incident.

was put up at the site by IP or IA afterwards.

position towards the direction the LN was coming from. Wyre

DTC: 0609160CT05

View from SE