Q: Was the local national exhibiting hostile intent toward Coalition Forces? If so, what was he doing that appeared to be hostile?

He was at the GPS coordinate of possible FED. He was out after curfew. He tried to evade Coalition Forces and he refused to stop, when being told to do so in his own language. I believed this to be a hostile act.

Q: Did you think the local national was going to commit a hostile act? If so, what did you think he was going to do?

Yes, I believed he was out in a known Art area, after curfew, to plant or observe Coalition person, for intent of hurting or killing troops, directly or indirectly.

Q: Do you understand the Rules of Engagement? Yes, very well and they are rehearsed and discussed on many patrols and meetings.

Q: Did you follow the Rules of Engagement? If so, explain how.

Yes, I did. We came upon a person after curfew in a bad area. When we came upon him he ran. We shouted for him to "stop or we will shoot." He didn't. We escalated to demonstration/warning shots. As well as shouting. He continued to run. He was about to get away/evade us at which time I gave the command to stop/drop him. I shot apx 5 demonstration shots in hopes he would stop, to no avail.

All items are redacted under 5 USC 552(b)(6) unless otherwise noted.
SWORN STATEMENT

For use of this form, see AR 190-49; the proponent agency is PMC.

PRIVACY ACT STATEMENT

TITLE 10 USC Section 301; TITLE 5 USC Section 9801; E.O. 9397 dated November 22, 1943 (SSW).

A. AUTHORITY:
B. PRINCIPAL PURPOSE:
C. ROUTINE USES:
D. DISCLOSURE:
E. ALL ITEMS ARE REDACTED UNDER 50 USC 552(b) (6) UNLESS OTHERWISE NOTED

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5. LAST NAME, FIRST NAME, MIDDLE NAME: [Redacted]
6. SSN: [Redacted]
7. GRADE/STATUS: E-4
8. ORGANIZATION OR ADDRESS: [Redacted]

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I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On March 11, 2006, at approx. 22:30, we (A13) received a call on our radio reporting a possible IED and the location, responding to the call we arrived at the possible area near the IED was located. The area was divided by two roads and the vehicle prepared to the right and the other two toward the left. Approaching an intersection on the right corner, an individual pops out looking down the road, at the same time our gunner spotted him. We approach the corner, head light on and spotlight. As we stop parallel to the corner were the man was, immediately we saw him carrying something on his right side (some sort of thin and long object). The officer at us and started running towards the opposite side of
Where the suspect was facing at the same time my t.c. dismounted the vehicle, my gunner already was yelling him to stop in Arabic, my t.c. also was telling him to stop. Also at the same time my self dismounted looked at the individual running and also told him to stop; proceeding we yielded stop or will shoot in Arabic several times, proceeding my t.c. and my self fire a couple of demonstration shots to the wall that was right on his left hand, the individual kept on running. The individual all ready was approximately 25 to 30 meters away from us, at the same time I also notice another firearm leading to the left were the individual could easily take cover and proceed to do any kind of engage toward us. Immediately follow the demonstration shots and no response.

The T.C. and my self fired towards him to try to bring him down before he could get away.

I layed two rounds on the back of the individual. Following that engagement we proceed to clear our 5-65.
**SWORN STATEMENT**

For use of this form, see FR 180-45; the proponent agency is POG.

**PRIVACY ACT STATEMENT**

**AUTHORITY:**
Title 10 USC Section 301; Title 5 USC Section 3051; E.O. 8937 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
   - For use only

2. DATE (MM/DD/YYYY)
   - 2006-03-13

3. TIME
   - 1500

4. FILE NUMBER
   - 

5. LAST NAME, FIRST NAME, MIDDLE NAME
   - 

6. SSN
   - 

7. GRADE/STATUS
   - E-4

8. ORGANIZATION OR ADDRESS
   - 

Q: Did you see something in the local nationals hand?

- YES

Q: If so, what did the object look like and what did you think it was?

- Thin and long

Q: Did he have the object in his hands when he came out from behind the corner?

- We had the object and drop it near bother. We started to run away from us.

Q: If so, what was he doing with the object?

- 

ALL ITEMS ARE REDACTED UNDER 50 U.S.C. 3052 (B) (6). UNLESS OTHERWISE NOTED

10. EXHIBIT
   - E

11. INITIALS OF PERSON MAKING STATEMENT
   - 

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF __________ TAKEN AT ________ DATED ________

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE PRINTED WITH THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE RE-INDICATED.

DA FORM 2823, DEC 1996

DA FORM 2823, JUL 92 IS OBSOLETE
Q: Was the local national exhibiting hostile intent toward Coalition Forces? If so, what was he doing that appeared to be hostile?

The person appeared to be eyeing us, from which appeared to last us placing an IED or being the trigger man for the possible IED we were called. The individual also was peaking on us as we approach the intersection.

Q: Did you think the local national was going to commit a hostile act? If so, what did you think he was going to do?

Basically I think we could be the trigger man for the IED, or we basically could him in the act of placing one.

Q: Do you understand the Rules of Engagement? YES.

Q: Did you follow the Rules of Engagement? If so, explain how.

First the gunner order to stop. Then the TC dismounted and told him to stop various times, after he said stop or will shoot, several times, then the demonstration shot came, then the disable shot.

Q: Did you shoot the local national to stop?
A: Yes, shoot or we shoot in another.

Q: Did you fire a demonstration shot? how many?
A: At the wall at least two

Q: Did you fire a disabling shot? how many?
A: At least one round hit him in the back.
Q: Did [REDACTED] tell you to fire?
A: [REDACTED] fired a couple of warning shots trying to get him to stop. That's after that is when I fired into the wall trying to get him to stop. That's when he said [REDACTED] to stop him. Apparently we hit him at the same time after that.

Q: Did you or anyone on your vehicle talk to locals on the scene?
A: I never went back to that area. I stopped. No, we tried to talk to a guy that operated a generator, but we couldn't get anything from him.

Nothing follows.
SWORN STATEMENT
For use of this form, see AR 190-45; the proper agency is PMS.

PRIVACY ACT STATEMENT
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 13398 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
   FOR UNCLASSIFIED

2. DATE: (YYYYMMDD)
   20200313

3. TIME
   1722

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME
   [Redacted]

6. ORGANIZATION OR ADDRESS
   [Redacted]

7. GRADE/STATUS
   [Redacted]

--- WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Did you see something in the local nationals hand? Yes

Q: If so, what did the object look like and what did you think it was?
   It was long and white, possibly a stick or rake. I thought he was possibly a sheep herder and had one of those sticks in his hand till he tried to hide it from me.

Q: Did he have the object in his hands when he came out from behind the corner? (The second time when he started to run.) Yes

Q: If so, what was he doing with the object?
   Trying to tuck it behind his back. I couldn't see it.

Q: Do you know what he did with the object?
   No. I saw him start running with it but didn't see him throw it.

--- ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"
--- TAKEN AT ____ DATED ____
--- THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED.
Q: Was the local national exhibiting hostile intent toward Coalition Forces? If so, what was he doing that appeared to be hostile?
A: Due to the fact that we were responding to a possible IED, and that he was trying to hide something from us, and that he began to run when asked to stop.

Q: Did you think the local national was going to commit a hostile act? If so, what did you think he was going to do?
A: I thought he was trying to do something before we spotted him and that he panicked and was trying to flee the area.

Q: Do you understand the Rules of Engagement?
A: Yes

Q: Did you follow the Rules of Engagement? If so, explain how.
A: Yes. Above and beyond actually. We shouted, shouted, shouted, and shouted, and then there was at least 7 warning shots fired before the kill shots were.

Q: What type of shots were you firing?
A: Warning shots.

Q: Do you know where they landed?
A: High left first, then into ground right.

ALL ITEMS ARE REDACTED UNDER 5 USC 552(B)(6) UNLESS OTHERWISE NOTED.
On March 11th we were out on a night patrol. At about 2315 we received a call to go check out a possible B.E.D. Being that we were the trail vehicle and I was traversed to the rear, I'm really not sure as to where we were. All I know is our vehicle broke off from the other 2 vehicles to search from an adjacent route. When we broke off, I traversed to the front and saw a guy standing on a corner. I alerted my crew and watched him duck back out of our view. We continued up to his position at the corner. About the time we got there, he came out and began to walk back up the street we had just came down. I shined my spotlight on him and told him to "stop" or step. I noticed that he had something long and white like a stick or tube that he seemed to be trying to hide from my view. I again yelled "stop and identify" (spelling may be off). Just know how to say it.)
At this point he took off at a flat sprint. My TC and Driver had already dismounted and they were screaming at him as well. At this point my TC began to fire his first warning shots into the wall to the left of the man. I did not see part of the next few seconds, because I was trying to get my rifle up and still maintain my spot light on the man as he ran. I managed to get my rifle and fired 2-3 shots but quickly realized that firing with I had was more dangerous than it was worth so I just held the light so my crew could have a clear shot. After the man was down & did my S and 25's and noticed what looked like an artillery round on the ground beside us, we moved about 50 meters from the area and cordoned it off. My crew stayed dismounted to check out the area and set of our TCP as I began to call the situation. Shortly after we lost comms on our vehicle due to a power issue. Since I was in the TC, I didn't hear too much after that. I know Rough Rider 6 and a few others showed up. I was told that the Oxo & saw was all and empty. And some where around 0300 the NIP's showed up to collect the body at which point we cleared the area.
**SWORN STATEMENT**

For use of this form, see AR 190-45; the reporting agency is PMS.

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| 9. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: |

In the night of the 11th of March 2006, I was the acting medic on patrol with Alpha's 1st Platoon of Alpha Company. We were stationed at 3000 to 4000 feet. When we were in the vicinity of the canal road we got the call to check out some "suspicious movements." We deployed in a 7x7 grid. When we were close to the grid, we realized a Left in the roads and vehicles 92 and I went to the left and our vehicle went right so we could meet up and simultaneously there was only roads in that grid. We were in sight of each other until a building blocked our view. As we were coming down a straight road with a concrete wall down the passenger side of us, we saw a local national pop out around a corner and upon seeing us he jumped back. This was about 40 meters ahead we rolled up slow not too concerned about and planned to see what he was up to when we hit the corner. The gunner positioned our spotlight so that it would be on him as we rounded the corner. 10 minutes the front of our vehicle was at the corner and we saw him for about a second he took off sprinting back the way he came. As soon as he took his first step our Gunner was screaming at him in Arabic to halt. Then the driver jumped out of the 11B and was screaming to halt and pointing histerraform down the road. I watched from the rear window because fixed looking shots into the concrete wall to the left of the road.

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<td>ALL ITEMS ARE REDACTED UNDER 10 U.S.C. 52(b)(6) UNLESS OTHERWISE NOTED</td>
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9. STATEMENT (Continued)

Suspect. I'm going to guess at about 4 rounds into the wall and then 2 to 3 more
on the ground in front of the suspect. He clearly was not going to stop and had
about 25 meters until he would be around a corner and we would not have been
able to catch him. That's when we said to take him down. I believe 4 to 5
rounds total between [redacted] and [redacted] were fired to take him down. The
second he was down [redacted] yelled "5 and 2.5" so we would look around the
area to see where the suspect had been standing and started searching for
and saw the

action as a matter of fact. I yelled to [redacted] that I could see the primer
on the round and he confirmed and yelled for me to move the vehicle
down the road, and clear of the round. I just looked over my statement
and I realized I did not mention that I saw the suspect as he was
coming around the corner, taking something under his arm, as if trying to hide it
from us. We still don't know what it was or why he tried to hide it. After
searching nothing back to when we pulled forward. I grabbed my aid
bag and awaited the chance to see if I could help the suspect. I could not
go back to the bay we came because of the suspected round and the
other two vehicles had not backed up yet. When the other two vehicles

and 2 got there [redacted] and I went through a open area around
the round to link up with 1 and 2 because our cars went down as
well as our power to the truck. When we got there the XO and Sgt Major and

XO were already there and then everyone went to the body. It takes the
suspect was already dead because one round struck him in the back of the head
and exited the upper 1/3 of head. So there was nothing I could do for him.
On 11 Feb, 2006 I led a patrol, call sign A Red 2, for clearance. At approximately 2030, my patrol received a call from Rough Rider X-Ray pertaining to two suspicious dirt mounds in the vicinity of the canal road grid MB 32x 809. After arriving within the area, Red 2 notices the road splits, I inform Red 3 which is to push west and continue to scan for the dirt mounds. The Red 1 and Red 3 vehicles are approximately 200 m apart as we both start around a building momentarily blocking our line of site. At this time, my vehicle, Red 2 receives small arms contact from the east which is on the west side of Red 1. I report contact. Immediately after which is approximately 10-15 seconds, Red 3 reports contact informing me that an individual has been shot. I report this to X-Ray and have them stand by as Red 3 develops the situation. Immediately put my vehicle, and my 492 in position to seal off the area; Red 3 informs Red 2 that an individual acting suspiciously peeks around the corner of a wall as his vehicle approaches then ducks back. Red 3 continues saying, as the individual
looks back around the corner, he appears to have a long object twirled under his arm. The individual was reported to have made a motion of twirling the long object under his arm and sprinting the opposite direction once the M16 was upon him. Red 3 reports to have yelled stop in Arabic the first time, then firing several warning shots to stop the individual. Again Red 3 and his crew are yelling stop in Arabic and repeat warning shots, when the person did not stop, Red 3 actual which is [REDACTED] reported he fired 4 shots to stop, striking the individual and putting him on the ground. This was all done on the ground by [REDACTED] with an M4. [REDACTED] reported he could not send the medics due to suspected object could explode. I continued to report to XRAY when Rough Rider 6 arrives with PSD. As the situation develops as far as clearing the area, Rough Rider 6 calls XRAY to inform them there is no live UKO. Red 2 accompanies Rough Rider 6 and examines the body which has a single bullet hole to the head. Afterwards, we spent with a local family which heard the situation. After speaking with one of the males, we learn that they heard clearly stop in Arabic several times from
multiple people, followed by several shots, then heard stop in Arabic again, followed by several more shots, then several more shots which is the last they heard. Red 2 patrol stays until the I.P had come and taken control, it's the family and Rough Rider B spoke through the translator, they said this guy was crazy, always carrying junk, running all over the place like a mad man. On 12 March 06 myself along with a B section patrol went back out to the site and through an interpreter, contacted his brother. The brother reaffirmed the mental status of his deceased brother by saying he is gone sometimes days at a time, collecting junk, and at times that know where he is, I gave the brother a 4TH TS contact card.

Nothing follows