WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

What, if any, enemy sniper did you receive from between 1200-1300 or 3 Nov 05?

CALLED ME AND SAID THAT THEY HAD SEEN A BLACK SEDAN DRIVING AWAY FROM THE AREA WHERE THE IED WENT OFF. THEY ASKED IF IT HAD COME INTO MY SECTOR YET AND I TOLD THEM ROGER. I HAD ABOUT 6 BLACKSEDANS IN SIGHT AT THAT TIME. THEN ASKED FOR PERMISSION TO ENGAGE VEHICLE IF IT WERE TO COME BACK TO THEIR POSITION. I ASKED IF THEY COULD POSITIVELY IDENTIFY THE VEHICLE, AND THEN RECEIVED NO MORE TRAFFIC ABOUT THE SITUATION FROM MY RTD. I ASSUMED THE ANSWER WAS NO AND I GAVE NO ONE PERMISSION TO ENGAGE
Did you give SPC ___ any enemy Intel update between 1200 - 1200 on 3 Nov 05? If so, what did you tell him?

After my conversation with SPC ___, I went to SPC ____, and told him about the black car. We both laughed and said there were a bunch of black cars around, so I just told him to look for anything suspicious, and to just continue to scan. He said Roger and we went back to scanning our sectors. This took place at around 1230 or so.

Affidavit

I ___, have read or have had read to me this statement which begins on page ___ and ends on page ___ . 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 with coercion, unlawful influence, or unlawful inducement.

(Signature of Person Making Statement)

WITNESSES:

________________________________________

________________________________________

________________________________________

ORGANIZATION OR ADDRESS

________________________________________

________________________________________

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of November, 2005.

(Signature of Person Administering Oath)

Typed Name of Person Administering Oath:

PAGE 3, DA FORM 2923, DEC 1988
On 02NOV05 at around 1000 we were given the Operations Order for a mission to be conducted on 02NOV05. The Commander specifically made sure to cover ROE, and asked at the end of the brief if anyone had questions. All personnel that were on a mission, were present, and some had questions about the ROE. We were then inserted around 0245 on 02NOV05. My team, team 1 was located just south of 0100 on the eastern side of MSR 000, just off of RTE 000, and consisted of SPC 000, PFC 000, and PFC 000. I made the decision to split my four man team in two, in order to better cover our assigned sector. PFC 000 was with SPC 000, and PFC 000 who was the RTO, was with me. The majority of the morning was quiet in our sector, but we did hear occasional small arms fire to the west of our position. There was also an IED at around 1200 south of our position. At around 1300 I was scanning my area when I heard a single shot fired. I immediately told my RTO to notify our day leader that we had contact, and then I went to see what was going on, since I could hear screaming and a car engine revving. When I reached SPC 000 location I asked what had happened and he told me that a car had pulled up near his position and that he had monitored the two male occupants in the front talking and making hand gestures toward 000 and then he said one picked up a cell phone and that was when he told me he fired. I then went to check out the vehicle and saw the driver trying to leave the area. I had not seen the passenger at that time, so I fired three warning shots with my 9mm at the ground in front of the vehicle. The vehicle then stopped and my QRF reached my position. The medic began to treat the WIA, and I went to brief the Platoon leader on what had happened. We then called in a 9 Line MEDIVAC for the WIA, and notified the ING about the KIA and car. I do not know what became of the woman who was in the back seat, or the two children she had with her.
SWORN STATEMENT

For use of this form, see AR 150-45; the preparing agency is OROPS

LOCATION
FOB
Baghdad, Iraq

LAST NAME, FIRST NAME, MIDDLE NAME

DATE
03 NOV 05
TIME
1638
FILE NUMBER

GRADE/STATUS
E-6/AA

ORGANIZATION OR ADDRESS
1st Plt 3/3 ACR

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 03 Nov 05, my element was conducting sniper operations on MSR [redacted] south of [redacted] Vic grid [redacted]. At around 1630, while I was scanning my area, I observed a shot fired from my other sniper element in the [redacted]. I immediately told my RTO to call our QRF to come and assist with our operation, while I went to SPC [redacted] position. I then asked what had happened and he told me that he observed the car drive up to our position and conduct a short burst while the two male occupants talked and made hand gestures towards MSR [redacted] as well as my [redacted]. Once the shot was fired and I talked to SPC [redacted] the vehicle then tried to leave the area. I proceeded to fire three warning shots at the ground in front of the vehicle with my 9mm to get it to stop. I then went towards the vehicle and observed one male bleeding from his face. He had been hit by the other sniper element. I also heard a woman and children crying in the back seat. I did not know at the time that there was a second male occupant who was KIA in the passenger seat. I kept the vehicle stationary until my SPEC [redacted] QRF showed up. The medic then disembarked and gave aid to the WIA, while I explained the situation to the Platoon Leader. We then called in a 9 line MEDEVAC for the WIA, and also contacted the local NGO to come pick up the KIA as well as the vehicle. I was then informed that the medic relayed that we were to displace from our [redacted] position and be taken back to [redacted], where I briefed my CO on the events.

NOTHING FOLLOWS.
AFFIDAVIT

I, [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.

(Signature of Person Making Statement)

WITNESSES:

[Redacted]

ORGANIZATION OR ADDRESS

[Redacted]

SUBSCRIBED AND SWORN TO BEFORE ME, A PERSON AUTHORIZED BY LAW TO ADMINISTER OATHS, THIS 3rd DAY OF November, 2005, AT Bagdad, Iraq.

(Signature of Person Administering Oaths)

[Redacted]

Typed Name of Person Administering Oaths

[Redacted]

Authority To Administer Oaths

INITIALS OF PERSON MAKING STATEMENT [Redacted]

PAGE 1 OF 1 PAGES
**SWORN STATEMENT**

For use of this form, see AR 19-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

For use of this form, see AR 19-45; the proponent agency is ODCSOPS

<table>
<thead>
<tr>
<th>AUTHORITY:</th>
<th>Title 10 USC Section 301; Title 10 USC Section 2951; 50 U.S.C. 522 (SSN)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRINCIPAL PURPOSE:</td>
<td>To provide commanders and law enforcement officials with means by which information may be accurately identified.</td>
</tr>
<tr>
<td>ROUTINE USES:</td>
<td>Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.</td>
</tr>
<tr>
<td>DISCLOSURE:</td>
<td>Disclosure of your social security number is voluntary.</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>1. LOCATION</th>
<th>2. DATE (YYYYMMDD)</th>
<th>3. TIME</th>
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<tr>
<th>5. LAST NAME, FIRST NAME, MIDDLE NAME</th>
<th>6. SSN</th>
<th>7. GRADE/STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Redacted]</td>
<td>[Redacted]</td>
<td>5PRC 16-9</td>
</tr>
</tbody>
</table>

8. ORGANIZATION OR ADDRESS

Hub 5PRC

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

What was your mission/instruction from CPT [Redacted]? A task to set and destroy the person/persos setting IEDs. As a result, [Redacted]

Did you clear your engagement with your team leader? [No]

How long did the vehicle stop at the location prior to your engagement of the drivers? [10 or 12 minutes]

How long had you been observing this particular black sedan? [50 to 35 minutes total, most of which it was driving back and forth on our area, [Redacted]]

9. EXHIBIT

| J |

10. INITIALS OF PERSON MAKING STATEMENT

| [Redacted] |

11. GRADE/STATUS

| 5PRC 16-9 | Active |

12. PAGES MUST CONTAIN THE HEADING OF "STATEMENT OF ________ TAKEN AT _______ DATED _______."

The bottom of each additional page must bear the details of each person making the statement, and the number must be indicated.

DA FORM 2823, DEC 1988

DA FORM 2823, JUL 72 FS OBSOLETE
How did you use the RDE in this incident?

I got an id on the vehicle from team 2, who was south of us, who observed this vehicle set and blew an IED on a "Buffalo" patrol. I waited and observed the vehicle as they looked like they were casing the area to set another IED. After they had pulled up to within 15 meters of my position, I continued to observe as they pointed at two old IED here. It was obvious that they were going to set another IED. After I was certain they were about to set it up, I took the shot so they couldn't set the IED.

AFFIDAVIT

I, [redacted], a duly appointed officer of the [redacted], do solemnly swear that I have read or have had read to me this statement which begins on page [redacted] and ends on page [redacted]. 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 with coercion, unlawful influence, or unlawful inducement.

[Signature of Person Making Statement]

WITNESSES:

[Redacted]

[Signature of Person Administering Oath]

[Typed Name of Person Administering Oath]

INITIALS OF PERSON MAKING STATEMENT [Redacted]

PAGE 3 OF 2 PAGES
SWORN STATEMENT

LOCATION
Baghdad, Iraq.  

DATE
Nov. 3rd, 2005

TIME
13:30

FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME

SOCIAL SECURITY NUMBER

GRADE/STATUS
SPC/E-4

ORGANIZATION OR ADDRESS
HWB 363 ACR

I, SPC [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On Thursday Nov. 3rd 2005 at 13:30 we were on a [redacted] mission between [redacted] and [redacted]. We had had [redacted] reports earlier that a black sedan had and was planning IED's in our AO that morning. We also had small arms fire all around us, but was not directed toward us I believe. This particular black sedan had been driving around the area a bunch from the time the IED went off to the south of us. I then came to a stop about 15 meters from my position. I observed two males pointing and making hand jester toward Route [redacted]. Then the driver pick up a cell phone and was talking in a loud voice while still making hand jester to the passenger. I believe they were talking about where to put an IED. There was a old IED hole in the direction were they were pointing. I felt that there was no doubt that this was the target vehicle and so I engage the [redacted] . The passenger was also hit and after that the team leader radioed QRF not to give up our position. When the QRF arrived we (the [redacted] team) pulled security and later were taken to [redacted] for further instructions.

NOTHING FOLLOWS
AFFIDAVIT

I, SPANISH, have read or 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 hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

WITNESSES:

I, the undersigned, do solemnly swear that the foregoing is true and that I have signed my name thereto.

[Signature]

Affiant

[Handwriting]

Subscribed and sworn to before me, a person authorized by law to administer oaths, the 3rd day of December, 1948.

[Signature of Person Administering Oath]

[Handwriting]
SWORN STATEMENT

For use of this form, see AR 10-45; the proper agency is ODCSOPS

PRIVACY ACT STATEMENT

For use of this form, see AR 10-45; the proper agency is ODCSOPS

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 3551; E.O. 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.

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<td>20051103</td>
<td>2200</td>
<td></td>
</tr>
</tbody>
</table>

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. ORGANIZATION OR ADDRESS

L. Temp 3/12 AR Baghdad, IRAQ

1. SSG

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

From 1200 to 1400 hours enemy contact was very active between and . At 1200 hours an IED struck a buffalo convoy sector sector on NPS. Military Age Men were drawing all different types of vehicles with women and children drawing by all homes along while talking on cell phones. White plumes from L Temp were doing flash TCP's during this time frame between Temp One that was just south of east of . Shot some civilians that were stopped by his position on a cell phone just like they were doing by my (Team 4). Then Temp One had to be evacuated since they were not in a bilby back to .

10. EXHIBIT

M

11. INITIALS OF PERSON MAKING STATEMENT

[Redacted]

7. GRADE/STATUS

E-5 / Active

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THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF EACH PERSON MAKING THE STATEMENT, AND THE NUMBER MUST BE INDICATED.
What enemy activity was reported over the radio?

I called O3 telling him that one teams are possibly getting involved with vehicles with arithmetic aids so we don't go have a chance to shoot or detain the males. Using cell phones and shipping very often and a lot of U-Turns.
My team was set in position near checkpoint X to observe MSR Y to stop H-D emplacement. A car pulled up near our position on the opposite side of the broken down vehicle I was set beside. I was unable to see the vehicle from my position. SPC Z fired one shot at the vehicle wounding one local national and killing another. I remained in my position with the 240B observing MSR Y. An element on MSR X was notified to move to our position. When the element arrived a medic from the element treated the injured national. The injured national was air evaced from the area and the element on the ground took us back to X.
Nothing Follows
Nothing Follows