

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru:	Commander, 2/12th Infantry Regiment FOB Falcon, Baghdad, Iraq APO AE 09361
To:	Commaner, C Company, 2/12th Infantry Regiment COP Chosen, Baghdad, Iraq APO AE 09361
Referred By:	SAC, CID Office, Al Asad CID Office (b)(6), (b)(7)(C) A2

USACRC Number:	0230-2007-CID899-23084
MP Report Number:	N/A
Sub-Installation:	AE09342DC
Referral Date:	9/27/2007
Suspense Date:	11/11/2007

The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block-1) for all cases referred to commanders. "Sub-Installation" (Block-1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. Offender Identification

Last Name:	(b)(6), (b)(7)(C)
First Name:	
Middle Name:	
Cadency:	

Grade:	E-5 U.S. Army (SGT)
SSN:	(b)(6), (b)(7)(C)
Date of Birth:	

3. Referral Information

Commander Decision Date: 9/27/2007

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
1	Larceny of Private Funds [7G2A1]	UCMJ Article 121	9/10/2007	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Declined Without Explanation
2				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
3				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
4				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

b(6), b(7)(C)

3. Referral Information (continue)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
 Company Grade
 Field Grade
 Principal Assistant
- GCMCA Imposed
 General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate
- General Court Martial

Jurisdiction: _____

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Larceny of Private Funds [7G2A1]			
2				
3				
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

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6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance) Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

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9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No

If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	



10. Commander's Remarks

See attached memorandum for record.

11. Commanding Officer

Reporting

Was a DNA sample collected from the offender? Yes No

Name and Grade:	(b)(6),(b)(7)(C)	CW3
Signature:	(b)(6),(b)(7)(C)	Signature Date: 9/27/2007
AKO e-Mail Address:	(b)(6),(b)(7)(C)	

b(6), b(7)(C)

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Page(s) 7 referred to:

Department of the Army
Office of the Judge Advocate General
FOIA Public Liaison
ATTN: DAJA-AL
1777 North Kent – 10th Floor
Rosslyn, VA 22209

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Camp Liberty CID Office
BUILDING C-40, CAMP LIBERTY, IRAQ, APO, AE 09342

09 Feb 2008

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 1ST FINAL SUPPLEMENTAL (C)/SSI -
0230-2007-CID899-23084 - 5H1B / 7G2A1 / 5Y2E

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 SEP 2007, 1200 - 10 SEP 2007, 2359; MGRS MB 41477909, BAGHDAD, IRAQ

2. 24 MAR 2007, 1430 - 24 MAR 2007, 1530; MUHALLA 822, MGRS MB
4283078654, AL DOURA, BAGHDAD, IRAQ

DATE/TIME REPORTED: 22 SEP 2007, 0800

INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)
SA
SA
SA
SA
SA
SA

SUBJECT:

1 (b)(6),(b)(7)(C) SGT; (b)(6),(b)(7)(C) (DOB); (POB); MALE;
WHITE; C COMPANY, 2ND BATTALION, 12TH INFANTRY REGIMENT, (HOME
STATION: FORT CARSON, CO), COMBAT OUTPOST CHOSEN, BAGHDAD, ARMED
FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09361; CT ; [CRUELTY AND
MALTREATMENT OF A DETAINEE], [LARCENY OF PRIVATE FUNDS], [MURDER
(INSUFFICIENT EVIDENCE)]

1

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VICTIM:

1 (b)(6),(b)(7)(C)

OTHER:

PRIVATE FUNDS]

FRCIV; IRAQ; (POB); FEMALE;
M820), BAGHDAD, IZ; [LARCENY OF

2. [CHANGE] UNKNOWN, 1962137-0230-2007-CID899-I (DECEASED); FRCIV;
MALE; OTHER; [CRUELTY AND MALTREATMENT OF A DETAINEE], [MURDER
(INSUFFICIENT EVIDENCE)] (NFI)

INVESTIGATIVE SUMMARY:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

This investigation was initiated following a notification from MAJ (b)(6),(b)(7)(C) Office
of the Staff Judge Advocate, Forward Operating Base (FOB) Falcon, Iraq, that SGT
(b)(6),(b)(7)(C) stole \$10,000.00 from an unknown Iraqi female while conducting combat
operations.

A subsequent operational review of the CID Final Report of Investigation disclosed an
allegation that SGT (b)(6),(b)(7)(C) verbally refused to provide medical treatment to an
unidentified wounded detainee, whom his unit had just engaged in a firefight, and subsequently
admitted to stabbing the detainee.

Further investigation identified the unknown Iraqi female as Mrs. (b)(6),(b)(7)(C)

Further Investigation determined SGT (b)(6) confessed to his Platoon Leader that he
stabbed one of the insurgents to make sure he was dead. A thorough investigation identified no
witnesses to the incident and the detainee's remains were released to the Iraqi Police; therefore,
no autopsy was conducted to determine the cause and manner of death.

STATUTES:

Article 118, UCMJ: Murder

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Article 121, UCMJ: Larceny of Private Funds

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

5. Agent's Investigation Report (AIR) of SA (b)(6), (b)(7)(C) 25 Sep 07.
6. Sworn Statement of 2LT (b)(6), (b)(7)(C) 22 Sep 07.
7. Rights Non-Waiver Certificate of SGT (b)(6), (b)(7)(C) 22 Sep 07.
8. Sworn Statement of SGT (b)(6), (b)(7)(C) 22 Sep 07.
9. AIR of SA (b)(6), (b)(7)(C) 03 Oct 07.
10. Sworn Statement of SFC (b)(6), (b)(7)(C) 02 Oct 07.
11. Sworn Statement of SSG (b)(6), (b)(7)(C) 02 Oct 07.
12. Sworn Statement of SSG (b)(6), (b)(7)(C) 02 Oct 07.
13. Sworn Statement of SGT (b)(6), (b)(7)(C) 02 Oct 07.
14. Sworn Statement of SGT (b)(6), (b)(7)(C) 02 Oct 07.
15. Claims/Condolence Form of Mrs. (b)(6), (b)(7)(C) 26 Sep 07.
16. Sworn Statement of SGT (b)(6), (b)(7)(C) 03 Oct 07.
17. Daily Staff Journal or Duty Log of 2/12th INF TOC, 24 May 07.
18. Sworn Statement of SPC (b)(6), (b)(7)(C) 03 Oct 07.
19. Compact Disk containing photographs (Unidentified Detainee).

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20. AIR of SA (b)(6), (b)(7) 08 Nov 07.
21. Affidavit Supporting Request for Authorization to Search and Seize, 08 Nov 07.
22. Search and Seizure Authorization, 08 Nov 07.
23. Recovery Scene AIR of SA (b)(6), (b)(7)(C) 08 Nov 07.
24. Photograph Packet (Recovery Scene).
25. Compact Disc containing all images associated with Exhibit 24. (USACIDC only)
26. Recovery Scene Sketch, 08 Nov 07.
27. Evidence/Property Custody Document, Document Number (DN) 0970-07.
28. AIR of SA (b)(6), (b)(7) 14 Nov 07.
29. Forensic Laboratory Examination Request, 13 Nov 07.
30. AIR of SA (b)(6), (b)(7) 26 Dec 07.
31. AIR of SA (b)(6), (b)(7) (C) 4 Dec 07.
32. Sworn Statement of (b)(6), (b)(7)(C) 04 Dec 07.

ADDED NOT ATTACHED:

Retained in the Evidence Depository, 11th Military Police Battalion (CID), Camp Victory, Iraq:

33. Bayonet (Item 1, DN 0970-07)
34. Interceptor Body Armor (Item 2, DN 0970-07)

The originals of Exhibits 5-14, 16, 18, 20-26, 28 and 30-32 were forwarded with the USACRC copy of this report. The originals of Exhibit 15, 17 and 19 were retained by 2/12th Infantry,

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FOB Falcon, Iraq. The original of Exhibit 27 was retained by the Evidence Custodian, 11th Military Police Battalion (CID), Camp Victory, Iraq. The original of Exhibit 29 was retained by the U.S. Army Criminal Investigation Laboratory, Forest Park, GA.

STATUS: This is a Final Supplemental (C) Report. A Commander's Report of Disciplinary or Administrative Action is pending.

CID REPORTS OF INVESTIGATION MAY BE SUBJECT TO A QUALITY ASSURANCE REVIEW BY CID HIGHER HEADQUARTERS.

Report Prepared By:

Report Approved By:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Special Agent

Special Agent in Charge

DISTRIBUTION:

11th MP BN (CID), Camp Victory, IZ

CDR, 20th/1149th MP DET (CID) (FWD), 11th MP BN (CID) (FWD), Camp Slayer, IZ APO AE 09342

Chief, INV OPS, USACIDC

CDR, 3d MP GRP (CID), Forest Park, GA, ATTN: OPS

SJA, Trial Counsel, FOB FALCON, IZ, (ATTN: CPT (b)(6),(b)(7)(C))

SJA, 4ID, Camp Liberty, IZ

SJA, Chief Military Justice, 4ID, Camp Liberty, IZ

MP Desk, Camp Victory, Baghdad, Iraq

PMO, MND-B, Provost Marshal, 4ID, Camp Liberty, IZ

Director, U.S. Army Crime Records Center, 6010 6th Street, Fort Belvoir, VA 22060

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DATE: 04 OCT 2007
FROM: SAC, CAMP LIBERTY CID//CIRF-ZA-LIB//
TO: DIRECTOR, U.S. ARMY CRIME RECORDS CENTER (USACRC), FT BELVOIR
VA
CHIEF, INVESTIGATIVE OPERATIONS, U.S. ARMY CRIMINAL
INVESTIGATION DIVISION COMMAND, FORT BELVOIR, VA
COMMANDER, 3RD MILITARY GROUP (CID), 4699 NORTH 1ST STREET,
FOREST PARK, GA 30297
COMMANDER, 22ND MILITARY POLICE BN (CID)(FWD), CAMP VICTORY
BAGHDAD, IRAQ, APO AE 09344
OPERATIONS OFFICER, 22ND MILITARY POLICE BN (CID) (FWD), CAMP
VICTORY, BAGHDAD, IRAQ, APO AE 093
ASSISTANT OPERATIONS OFFICER, 22ND MILITARY POLICE BATTALION
(CID), CAMP VICTORY, BAGHDAD, IRAQ,
COMMANDER, 86TH MILITARY POLICE DETACHMENT (CID) (FWD), CAMP
SLAYER, BAGHDAD, IRAQ
STAFF JUDGE ADVOCATE, 2/12TH INF, FOB FALCON, IRAQ, ATTN: MAJ
KERCHER
PROVOST MARSHAL, PROVOST MARSHAL'S OFFICE, FOB FALCON, IRAQ
COMMANDER, 2/12TH INF, FOB FALCON, IRAQ, ATTN: LTC (b)(6),(b)(7)(C)
CG USACIDC FT BELVOIR VA //CIOP-ZA//
FSO, 22ND MP BN (CID)///CIRF-ZA-OP
FILE

SUBJECT: CID REPORT OF INVESTIGATION - 2ND SUPPLEMENTAL/SSI -
0230-2007-CID899-23084 - 5H1B / 7G2A1 / 5Y2E

DRAFTER: (b)(6),(b)(7)(C)

RELEASER: (b)(6),(b)(7)(C)

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 SEP 2007, 1200 - 10 SEP 2007, 2359; GRID MB 41477909, BAGHDAD, AE
09361
2. 24 MAR 2007, 1430 - 24 MAR 2007, 1530; MUHALLA 822, GRID MB 42830

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b(6), b(7)(C)

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78654, AL DOURA, BAGHDAD, IRAQ

2. DATE/TIME REPORTED: 22 SEP 2007, 0800

3. INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)
SA
SA
SA

4. SUBJECT:

1 (b)(6),(b)(7)(C) SGT; (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C) MALE; WHITE; C COMPANY, 2ND BATTALION, 12TH
INFANTRY REGIMENT, (HOME STATION: FORT CARSON, CO), COMBAT OUTPOST
CHOSEN, BAGHDAD, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST
09361; CT ; [LARCENY OF PRIVATE PROPERTY], [CRUELTY AND MALTREATMENT
OF A DETAINEE (UNDER INVESTIGATION)], [MURDER (UNDER INVESTIGATION)]

5. VICTIM:

1. [CHANGE] (b)(6),(b)(7)(C) CIV; IRAQ; BAGHDAD,
IRAQ; FEMALE; WHITE; (b)(6),(b)(7)(C) M820), BAGHDAD, IZ;
[LARCENY OF PRIVATE PROPERTY]

2. UNKNOWN-1962137-0230-2007-CID899-I ; [CRUELTY AND
MALTREATMENT OF A DETAINEE (UNDER INVESTIGATION)], [MURDER (UNDER
INVESTIGATION)] (NFI)

6. INVESTIGATIVE SUMMARY:

THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR
PRELIMINARY INVESTIGATION AND MAY BE CHANGED PRIOR TO THE
COMPLETION OF THE INVESTIGATION.

2D SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING SUBMITTED TO FURTHER IDENTIFY THE
VICTIM OF LARCENY AND TO ELABORATE ON THE INCIDENT OF MURDER.

(b)(6),(b)(7)(C)

ALLEGED AMERICAN SOLDIERS STOLE MONEY WHEN

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THEY CONDUCT A CORDON AND SEARCH OF HER RESIDENCE. (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C) STATED A SOLDIER RETURNED SOME OF THE MONEY; HOWEVER, SHE WAS STILL MISSING APPROXIMATELY \$4,050.00 US DOLLARS AND 125,000 IRAQI DINAR, TOTALING APPROXIMATELY \$4,151 US DOLLARS.

DURING THE COURSE OF THIS INVESTIGATION, IT WAS DETERMINED SOLDIERS OF C COMPANY, 2-12TH INFANTRY REGIMENT, COMBAT OUTPOST CHOSEN, BAGHDAD, IRAQ, ENGAGED TWO INDIVIDUALS THAT WERE LOCATED ON A ROOF TOP IN THE VICINITY OF GRID MB 42830 78654 AFTER RECEIVING SMALL ARMS FIRE FROM THEIR LOCATION. THE ENGAGEMENT RESULTED IN ONE ENEMY KILLED IN ACTION AND ONE WOUNDED. SGT (b)(6),(b)(7)(C) WAS ORDERED TO PROVIDE MEDICAL CARE TO THE WOUNDED INDIVIDUAL; HOWEVER, SGT (b)(6),(b)(7)(C) INDICATED THERE WAS NOTHING HE COULD DO AND THAT THE INDIVIDUAL DIED. THE TWO DECEASED INDIVIDUALS WERE PLACED IN BODY BAGS AND TRANSPORTED TO 2/7/2 NATIONAL POLICE BATTALION HEADQUARTERS, BAGHDAD, IRAQ, FOR DISPOSITION. THE IDENTITY OF THE INDIVIDUALS AND THE LOCATION OF THE REMAINS WERE NOT KNOWN.

USACIDC INTERVIEWED MEMBERS OF THE ELEMENT THAT WERE INVOLVED IN THE ENGAGEMENT. THERE WERE NO WITNESSES TO SGT (b)(6),(b)(7)(C) TREATING OR STABBING THE WOUNDED INDIVIDUAL. FURTHERMORE, WITNESSES INDICATED THE INJURIES SUSTAINED BY THE INDIVIDUAL APPEARED TO BE GUNSHOT WOUNDS AS OPPOSED TO STAB WOUNDS.

INVESTIGATION CONTINUES BY USACIDC.

1ST SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING SUBMITTED TO REOPEN THIS INVESTIGATION TO CONDUCT FURTHER INVESTIGATIVE ACTIVITY.

DURING ADMINISTRATIVE REVIEW OF THIS INVESTIGATION, IT WAS DETERMINED 1LT (b)(6),(b)(7)(C), C COMPANY, 2-12 INFANTRY REGIMENT, COMBAT OUTPOST (COP) CHOSEN, BAGHDAD, IRAQ, WAS INTERVIEWED BY USACIDC WHEREIN HE PROVIDED A SWORN STATEMENT ALLEGING SGT (b)(6),(b)(7)(C) CONFESSED TO STABBING AN INJURED UNKNOWN IRAQI MALE THAT HE WAS SUPPOSE TO BE PROVIDING MEDICAL CARE.

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b(6), b(7)(C)

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1LT (b)(6),(b)(7)(C) STATED HIS PLATOON WAS CONDUCTING COMBAT OPERATIONS WHEN THEY ENGAGED THE ENEMY, WHICH RESULTED IN TWO UNKNOWN IRAQI MALES BEING SHOT. 1LT (b)(6),(b)(7)(C) RELATED ONE OF THE INDIVIDUALS WAS BREATHING THE OTHER WAS DECEASED. HE ORDERED SGT (b)(6),(b)(7)(C) TO PROVIDE MEDICAL CARE TO THE INJURED INDIVIDUAL. 1LT (b)(6),(b)(7)(C) STATED SGT (b)(6),(b)(7)(C) LATER INFORMED HIM THAT THE INDIVIDUAL WAS ALREADY DEAD AND THERE WAS NOTHING HE COULD DO; HOWEVER, ON 11 SEP 07, SGT (b)(6),(b)(7)(C) INFORMED HIM THAT HE HAD STABBED THE INJURED UNKNOWN IRAQI MALE.

SGT (b)(6),(b)(7)(C) WAS INTERVIEWED BY USACIDC WHEREIN HE INVOKED HIS LEGAL RIGHTS AND REQUESTED A LAWYER.

INVESTIGATION CONTINUES BY USACIDC.

FINAL REPORT:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

THIS INVESTIGATION WAS INITIATED WHEN MAJ (b)(6),(b)(7)(C) OFFICE OF THE STAFF JUDGE ADVOCATE (OSJA), 4TH BRIGADE COMBAT TEAM, 1ST INFANTRY DIVISION (4/1 INF), FORWARD OPERATING BASE (FOB) FALCON, IRAQ, NOTIFIED THIS OFFICE THAT SGT (b)(6),(b)(7)(C) C COMPANY, 2ND BATTALION, 12TH INFANTRY REGIMENT (2/12TH INF), COMBAT OUTPOST (COP) CHOSEN, IRAQ, STOLE \$10,000 U.S. DOLLARS FROM AN UNKNOWN IRAQI FEMALE, WHILE CONDUCTING COMBAT OPERATIONS.

INVESTIGATION DETERMINED SGT (b)(6),(b)(7)(C) COMMITTED THE OFFENSE OF LARCENY WHEN HE STOLE \$10,000 U.S. DOLLARS FROM AN UNKNOWN IRAQI FEMALE WHILE CONDUCTING A CORDON AND SEARCH OF HER RESIDENCE.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

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8. USACIDC REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DATE: 28 SEP 2007
FROM: SAC, CAMP LIBERTY CID//CIRF-ZA-LIB//
TO: DIRECTOR, U.S. ARMY CRIME RECORDS CENTER (USACRC), FT BELVOIR VA
CHIEF, INVESTIGATIVE OPERATIONS, U.S. ARMY CRIMINAL INVESTIGATION DIVISION COMMAND, FORT BELVOIR, VA
COMMANDER, 3RD MILITARY GROUP (CID), 4699 NORTH 1ST STREET, FOREST PARK, GA 30297
COMMANDER, 22ND MILITARY POLICE BN (CID)(FWD), CAMP VICTORY BAGHDAD, IRAQ, APO AE 09344
OPERATIONS OFFICER, 22ND MILITARY POLICE BN (CID) (FWD), CAMP VICTORY, BAGHDAD, IRAQ, APO AE 093
ASSISTANT OPERATIONS OFFICER, 22ND MILITARY POLICE BATTALION (CID), CAMP VICTORY, BAGHDAD, IRAQ,
COMMANDER, 86TH MILITARY POLICE DETACHMENT (CID) (FWD), CAMP SLAYER, BAGHDAD, IRAQ
STAFF JUDGE ADVOCATE, 2/12TH INF, FOB FALCON, IRAQ, ATTN: MAJ (b)(6),(b)(7)(C)
PROVOST MARSHAL, PROVOST MARSHAL'S OFFICE, FOB FALCON, IRAQ, ATTN: LTC (b)(6),(b)(7)(C)
COMMANDER, 2/12TH INF, FOB FALCON, IRAQ, ATTN: LTC (b)(6),(b)(7)(C)
CG USACIDC FT BELVOIR VA //CIOP-ZA//
FSO, 22ND MP BN (CID)///CIRF-ZA-OP
FILE

SUBJECT: CID REPORT OF INVESTIGATION - 1ST SUPPLEMENTAL/SSI - 0230-2007-CID899-23084 - 5H1B / 7G2A1 / 5Y2E

DRAFTER: (b)(6),(b)(7)(C)

RELEASER: (b)(6),(b)(7)(C)

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 SEP 2007, 1200 - 10 SEP 2007, 2359; GRID MB 41477909, BAGHDAD, AE 09361
2. 24 MAR 2007, 0600 - 24 MAR 2007, 2000; UNKNOWN, BAGHDAD, IRAQ

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2. DATE/TIME REPORTED: 22 SEP 2007, 0800

3. INVESTIGATED BY:

SA (b)(6),(b)(7)(C)
SA

4. SUBJECT:

(b)(6),(b)(7)(C) SGT (b)(6),(b)(7)(C)
1 (b)(6),(b)(7)(C) MALE; WHITE; C COMPANY, 2ND BATTALION, 12TH
INFANTRY REGIMENT, (HOME STATION: FORT CARSON, CO), COMBAT OUTPOST
CHOSEN, BAGHDAD, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST
09361; CT ; [LARCENY OF PRIVATE PROPERTY], [CRUELTY AND MALTREATMENT
OF A DETAINEE (UNDER INVESTIGATION)], [MURDER (UNDER INVESTIGATION)]

5. VICTIM:

1. UNKNOWN-1961777-0230-2007-CID899-I ; [LARCENY OF PRIVATE
PROPERTY] (NFI)

2. [ADD] UNKNOWN-1962137-0230-2007-CID899-I ; [CRUELTY AND
MALTREATMENT OF A DETAINEE (UNDER INVESTIGATION)], [MURDER (UNDER
INVESTIGATION)] (NFI)

6. INVESTIGATIVE SUMMARY:

THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR
PRELIMINARY INVESTIGATION AND MAY BE CHANGED PRIOR TO THE
COMPLETION OF THE INVESTIGATION.

1ST SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING SUBMITTED TO REOPEN THIS
INVESTIGATION TO CONDUCT FURTHER INVESTIGATIVE ACTIVITY.

DURING ADMINISTRATIVE REVIEW OF THIS INVESTIGATION, IT WAS
DETERMINED 1LT (b)(6),(b)(7)(C) C COMPANY, 2-12 INFANTRY REGIMENT,
COMBAT OUTPOST (COP) CHOSEN, BAGHDAD, IRAQ, WAS INTERVIEWED BY
USACIDC WHEREIN HE PROVIDED A SWORN STATEMENT ALLEGING SGT
(b)(6),(b)(7)(C) CONFESSED TO STABBING AN INJURED UNKNOWN IRAQI MALE THAT
HE WAS SUPPOSE TO BE PROVIDING MEDICAL CARE.

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1LT (b)(6),(b)(7)(C) STATED HIS PLATOON WAS CONDUCTING COMBAT OPERATIONS WHEN THEY ENGAGED THE ENEMY, WHICH RESULTED IN TWO UNKNOWN IRAQI MALES BEING SHOT. 1LT (b)(6),(b)(7)(C) RELATED ONE OF THE INDIVIDUALS WAS BREATHING THE OTHER WAS DECEASED. HE ORDERED SGT (b)(6),(b)(7)(C) TO PROVIDE MEDICAL CARE TO THE INJURED INDIVIDUAL. 1LT (b)(6),(b)(7)(C) STATED SGT (b)(6),(b)(7)(C) LATER INFORMED HIM THAT THE INDIVIDUAL WAS ALREADY DEAD. THERE WAS NOTHING HE COULD DO; HOWEVER, ON 11 SEP 07, SGT (b)(6),(b)(7)(C) INFORMED HIM THAT HE HAD STABBED THE INJURED UNKNOWN IRAQI MALE.

SGT (b)(6),(b)(7)(C) WAS INTERVIEWED BY USACIDC WHEREIN HE INVOKED HIS LEGAL RIGHTS AND REQUESTED A LAWYER.

INVESTIGATION CONTINUES BY USACIDC.

FINAL REPORT:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

THIS INVESTIGATION WAS INITIATED WHEN MAJ (b)(6),(b)(7)(C) OFFICE OF THE STAFF JUDGE ADVOCATE (OSJA), 4TH BRIGADE COMBAT TEAM, 1ST INFANTRY DIVISION (4/1 INF), FORWARD OPERATING BASE (FOB) FALCON, IRAQ, NOTIFIED THIS OFFICE THAT SGT (b)(6),(b)(7)(C) C COMPANY, 2ND BATTALION, 12TH INFANTRY REGIMENT (2/12TH INF), COMBAT OUTPOST (COP) CHOSEN, IRAQ, STOLE \$10,000 U.S. DOLLARS FROM AN UNKNOWN IRAQI FEMALE, WHILE CONDUCTING COMBAT OPERATIONS.

INVESTIGATION DETERMINED SGT (b)(6),(b)(7)(C) COMMITTED THE OFFENSE OF LARCENY WHEN HE STOLE \$10,000 U.S. DOLLARS FROM AN UNKNOWN IRAQI FEMALE WHILE CONDUCTING A CORDON AND SEARCH OF HER RESIDENCE.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

8. USACIDC REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF

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PROTECTIVE MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Camp Liberty CID Office
86th Military Police Detachment (CID), Building C-40, Camp Liberty, Iraq, APO,
AE 09342

27 Sep 2007

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL FINAL (C) - 0230-2007-CID899-23084
- 7G2A1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 SEP 2007, 1200 - 10 SEP 2007, 2359; GRID MB 41477909, BAGHDAD, AE
09361

DATE/TIME REPORTED: 22 SEP 2007, 0800

INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)
SA

SUBJECT:

(b)(6),(b)(7)(C) SGT; (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C) MALE; WHITE; C COMPANY, 2ND BATTALION, 12TH
INFANTRY REGIMENT, (HOME STATION: FORT CARSON, CO), COMBAT OUTPOST
CHOSEN, BAGHDAD, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST
09361; CT ; [LARCENY OF PRIVATE PROPERTY]

VICTIM:

1. UNKNOWN-1961777-0230-2007-CID899-I ; [LARCENY OF PRIVATE
PROPERTY] (NFI)

INVESTIGATIVE SUMMARY:

1

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ACLU DETAINEE DEATH 2 CID 1165

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This is an "Operation Iraqi Freedom" investigation.

This investigation was initiated when MAJ (b)(6),(b)(7)(C) Office of the Staff Judge Advocate (OSJA), 4th Brigade Combat Team, 1st Infantry Division (4/1 INF), Forward Operating Base (FOB) Falcon, Iraq, notified this office that SGT (b)(6),(b)(7)(C) Company, 2nd Battalion, 12th Infantry Regiment (2/12th INF), Combat Outpost (COP) Chosen, Iraq, stole \$10,000 U.S. dollars from an unknown Iraqi female, while conducting combat operations.

Investigation determined SGT (b)(6),(b)(7)(C) committed the offense of Larceny when he stole \$10,000 U.S. dollars from an unknown Iraqi female while conducting a cordon and search of her residence.

STATUTES:

Article 121, UCMJ, Larceny

EXHIBITS:

Attached:

1. Agents Investigation Report (AIR) of SA (b)(6), (b)(7)(C) 25 Sep 07.
2. Sworn Statement of 1LT (b)(6),(b)(7)(C) 22 Sep 07, detailing his knowledge of the incident.
3. Non-Waiver Certificate of SGT (b)(6),(b)(7)(C) 22 Sep 07.
4. Sworn Statement of SGT (b)(6),(b)(7)(C) 22 Sep 07, detailing his knowledge of the incident.

Not Attached:

None.

The originals of Exhibits 1 through 4 are forwarded with the USACRC copy of this report.

STATUS: This is an Initial/Final (C) report. This investigation is being closed under the

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provisions of Chapter 4, Paragraph 10 (5), CIDR 195-1. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is pending.

Report Prepared By:

Report Approved By:

(b)(6),(b)(7)(C)

Special Agent

(b)(6),(b)(7)(C)

Special Agent in Charge

DISTRIBUTION:

- 1-Director, U.S. Army Crime Records Center (USACRC), Ft Belvoir, VA
- 1-Chief, Investigative Operations, U.S. Army Criminal Investigation Division
Command, Fort Belvoir, VA
- 1- Commander, 3rd Military Group (CID), 4699 North 1st Street, Forest Park, GA
30297
- 1- Commander, 22nd Military Police BN (CID)(FWD), Camp Victory, Baghdad, Iraq,
APO AE 09344
- 1- Operations Officer, 22nd Military Police BN (CID) (FWD), Camp Victory,
Baghdad, Iraq, APO AE 093
- 1- Assistant Operations Officer, 22nd Military Police Battalion (CID), Camp Victory,
Baghdad, Iraq,
- 1- Commander, 86th Military Police Detachment (CID) (FWD), Camp Slayer,
Baghdad, Iraq
- 1-Staff Judge Advocate, 2/12th INF, FOB Falcon, Iraq, ATTN: MAJ (b)(6),(b)(7)(C)
- 1-Provost Marshal, Provost Marshal's Office, FOB Falcon, Iraq
- 1-Commander, 2/12th INF, FOB Falcon, Iraq, ATTN: LTC (b)(6),(b)(7)(C)
- 1-File

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COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru:	
To:	COMMANDER 6/9TH CAVALRY REGIMENT FORT HOOD, TX 76544
Referred By:	SAC, CID Office: Balad CID Office (b)(6),(b)(7)(C)

USACRC Number:	0118-2007-CID919-23257-5H1A
MP Report Number:	N/A
Sub-Installation:	AE09391DC
Referral Date:	5/12/2008
Suspense Date:	6/26/2008

The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block-1) for all cases referred to commanders. "Sub-Installation" (Block-1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. Offender Identification

Last Name:	(b)(6),(b)(7)(C)
First Name:	
Middle Name:	
Cadency:	

Grade:	DOD Contractor (DODCR)
SSN:	
Date of Birth:	(b)(6),(b)(7)(C)

3. Referral Information

Commander Decision Date: 5/12/2008

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
1	Aggravated Assault with a Deadly Weapon [5C1B]	UCMJ Article 128	6/25/2007	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Suspect Deported
2				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
3				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
4				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

3. Referral Information (continued)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
 Company Grade
 Field Grade
 Principal Assistant
- GCMCA Imposed
 General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate
- General Court Martial

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Aggravated Assault with a Deadly Weapon [5C1B]			
2				
3				
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (continued)

No.	Charged Offense	Plea	Finding Offense	Trial Finding
6				
7				
8				
9				
10				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions

Non-Adverse

Agency	Referred	Responded
Family Advocacy		
Drug/Alcohol Abuse		
Special Referral		
Equal Opportunity		
Legal Office		
Mental Health		
Relief Agency		

Date Imposed	Type of Action	Oral	Written	
			Local	OMPF
	Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adverse

Date Imposed	Description
	Withholding of Privileges
	Adverse Performance Evaluation (OER/NCOER/Academic Report)
	Relief for Cause (OER/NCOER)
	Mandatory Reassignment
	Transfer (such as rehabilitative)
	Adverse Record Entry - Flag
	Denial of Reenlistment or Continued Service
	Withholding of Promotion
	Delay of Promotion
	Promotion Revocation
	Clearance Revocation
	Control Roster (downgrade of clearance, PRP reclassification)
	Resignation
	Retirement
	Retirement at Lower Grade From: To:
	Transfer to Inactive Reserve

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance) Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No
 If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	

10. Commander's Remarks

USASCRC Number: 0118-2007-CID919-23257-5H1A

Sanction:

11. Commanding Officer

Was a DNA sample collected from the offender? Yes No

Name and Grade:	(b)(6),(b)(7)(C)	GS12	
Signature:			Signature Date: 5/12/2008
AKO e-Mail Address	(b)(6),(b)(7)(C)	@gls-1.com	

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COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru: To: COMMANDER 6/9TH CAVALRY REGIMENT FORT HOOD, TX 76544 Referred By: SAC, CID Office: Balad CID Office (b)(6),(b)(7)(C)	USACRC Number: 0118-2007-CID919-23257-5H1A MP Report Number: N/A Sub-Installation: AE09391DC Referral Date: 5/12/2008 Suspense Date: 6/26/2008
--	---

The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block-1) for all cases referred to commanders. "Sub-Installation" (Block-1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. Offender Identification

Last Name: (b)(6),(b)(7)(C) First Name: Middle Name: Cadency:	Grade: E-4 U.S. Army (SPC) SSN: (b)(6),(b)(7)(C) Date of Birth:
--	--

3. Referral Information

Commander Decision Date: 5/12/2008

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
1	Murder (Law of Armed Conflict Violation) [5H1A]	UCMJ Article 118	6/25/2007	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
2	Cruelty and Maltreatment [5C1J]	UCMJ Article 128	6/25/2007	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
3	Conspiracy [5X1]	UCMJ Article 81	6/25/2007	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
4				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

7

3. Referral Information (continued)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

Judicial Punishment Authority (select one):

- Summarized GCMCA Imposed Summary Court Martial General Court Martial
 Company Grade General Officer Imposed Special Court Martial
 Field Grade
 Principal Assistant

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Murder (Law of Armed Conflict Violation) [5H1A]			
2	NO ACTION TAKEN -- Cruelty and Maltreatment [5C1J]			
3	NO ACTION TAKEN -- Conspiracy [5X1]			
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

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5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (continued)

No.	Charged Offense	Plea	Finding Offense	Trial Finding
6				
7				
8				
9				
10				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions

Non-Adverse

Agency	Referred	Responded
Family Advocacy		
Drug/Alcohol Abuse		
Special Referral		
Equal Opportunity		
Legal Office		
Mental Health		
Relief Agency		

Date Imposed	Type of Action	Oral	Written	
			Local	OMPF
	Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adverse

Date Imposed	Description
	Withholding of Privileges
	Adverse Performance Evaluation (OER/NCOER/Academic Report)
	Relief for Cause (OER/NCOER)
	Mandatory Reassignment
	Transfer (such as rehabilitative)
	Adverse Record Entry - Flag
	Denial of Reenlistment or Continued Service
	Withholding of Promotion
	Delay of Promotion
	Promotion Revocation
	Clearance Revocation
	Control Roster (downgrade of clearance, PRP reclassification)
	Resignation
	Retirement
	Retirement at Lower Grade From: To:
	Transfer to Inactive Reserve

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance) Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No

If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspension Duration:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	

//

10. Commander's Remarks

USASCRC Number: 0118-2007-CID919-23257-5H1A

Sanction: F2 2008/05/12

11. Commanding Officer

Was a DNA sample collected from the offender? Yes No

Name and Grade:	(b)(6),(b)(7)(C)	O-5	
Signature:	(b)(6),(b)(7)		Signature Date: 5/12/2008
AKO e-Mail Address:	(C)	@us.army.mil	

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru: To: COMMANDER 6/9TH CAVALRY REGIMENT FORT HOOD, TX 76544 Referred By: SAC, CID Office: Balad CID Office (b)(6), (b)(7)(C)	USACRC Number: 0118-2007-CID919-23257-5H1A MP Report Number: N/A Sub-Installation: AE09391DC Referral Date: 5/12/2008 Suspense Date: 6/26/2008
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The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block-1) for all cases referred to commanders. "Sub-Installation" (Block-1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. Offender Identification

Last Name: (b)(6), (b)(7)(C) First Name: Middle Name: Cadency:	Grade: E-5 U.S. Army (SGT) SSN: (b)(6), (b)(7)(C) Date of Birth:
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3. Referral Information

Commander Decision Date: 5/12/2008

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
1	Murder (Law of Armed Conflict Violation) [5H1A]	UCMJ Article 118	6/25/2007	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
2	Cruelty and Maltreatment [5C1J]	UCMJ Article 128	6/25/2007	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
3	Conspiracy [5X1]	UCMJ Article 81	6/25/2007	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
4				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

3. Referral Information (continued)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
 Company Grade
 Field Grade
 Principal Assistant
- GCMCA Imposed
 General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate
- General Court Martial

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Murder (Law of Armed Conflict Violation) [5H1A]			
2	NO ACTION TAKEN -- Cruelty and Maltreatment [5C1J]			
3	NO ACTION TAKEN -- Conspiracy [5X1]			
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

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5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (continued)

No.	Charged Offense	Plea	Finding Offense	Trial Finding
6				
7				
8				
9				
10				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions

Non-Adverse

Agency	Referred	Responded
Family Advocacy		
Drug/Alcohol Abuse		
Special Referral		
Equal Opportunity		
Legal Office		
Mental Health		
Relief Agency		

Date Imposed	Type of Action	Oral	Written	
			Local	OMPF
	Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adverse

Date Imposed	Description
	Withholding of Privileges
	Adverse Performance Evaluation (OER/NCOER/Academic Report)
	Relief for Cause (OER/NCOER)
	Mandatory Reassignment
	Transfer (such as rehabilitative)
	Adverse Record Entry - Flag
	Denial of Reenlistment or Continued Service
	Withholding of Promotion
	Delay of Promotion
	Promotion Revocation
	Clearance Revocation
	Control Roster (downgrade of clearance, PRP reclassification)
	Resignation
	Retirement
	Retirement at Lower Grade From: To:
	Transfer to Inactive Reserve

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance) Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No
 If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	

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10. Commander's Remarks

USASCRC Number: 0118-2007-CID919-23257-5H1A

Sanction: F2 2008/05/12

11. Commanding Officer

Was a DNA sample collected from the offender? Yes No

(b)(6),(b)(7)(C)

Name and Grade:

O-5

Signature:

(b)(6),(b)(7)

Signature Date: 5/12/2008

AKO e-Mail Address

(C)

@us.army.mil

b(6), b(7)(C)

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
PRINCIPAL: 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. Control Information

Thru: To: COMMANDER 6/9TH CAVALRY REGIMENT FORT HOOD, TX 76544 Referred By: SAC, CID Office: Balad CID Office (b)(6),(b)(7)(C)	USACRC Number: 0118-2007-CID919-23257-5H1A MP Report Number: N/A Sub-Installation: AE09391DC Referral Date: 5/12/2008 Suspense Date: 6/26/2008
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The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block-1) for all cases referred to commanders. "Sub-Installation" (Block-1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. Offender Identification

Last Name: (b)(6),(b)(7)(C) First Name: Middle Name: Cadency:	Grade: E-4 U.S. Army (CPL) (b)(6),(b)(7)(C) SSN: Date of Birth:
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3. Referral Information

Commander Decision Date: 5/12/2008

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Murder (Law of Armed Conflict Violation) [5H1A]	UCMJ Article 118	6/25/2007	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
2	Desecration of Body [5C5]	UCMJ Article 91	6/25/2007	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
3	Cruelty and Maltreatment [5C1J]	UCMJ Article 128	6/25/2007	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
4	Conspiracy [5X1]	UCMJ Article 81	6/25/2007	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Charges Dismissed By Courts Martial Convening Authority
5				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

b(6), b(7)(C)

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3. Referral Information (continued)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
 Company Grade
 Field Grade
 Principal Assistant
- GCMCA Imposed
 General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate
- General Court Martial

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Murder (Law of Armed Conflict Violation) [5H1A]			
2	NO ACTION TAKEN -- Desecration of Body [5C5]			
3	NO ACTION TAKEN -- Cruelty and Maltreatment [5C1J]			
4	NO ACTION TAKEN -- Conspiracy [5X1]			
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance) Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No
 If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	

10. Commander's Remarks

USASCRC Number: 0118-2007-CID919-23257-5H1A

Sanction: F2 2008/05/12

11. Commanding Officer

Was a DNA sample collected from the offender? Yes No

Name and Grade:	(b)(6),(b)(7)(C)	O-5
Signature:	(b)(6)	Signature Date: 5/12/2008
AKO e-Mail Address	(b)(6)	us.army.mil

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Balad CID Office
LSA ANACONDA, APO AE 09391

17 Apr 2008

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0118-2007-CID919-23257 - 5H1A /
5C1B / 5C5 / 5C1J / 5X1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 26 JUN 2007, 0530 - 26 JUN 2007, 0800; MC 957604, THURA, MUQDADIYAH,
DIYALA PROVINCE, IRAQ

2. 26 JUN 2007, 0500 - 26 JUN 2007, 0800; MC 957604, THURA, MUQDADIYAH,
DIYALA PROVINCE, IRAQ

DATE/TIME REPORTED: 25 AUG 2007, 1900

INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)
SA
SA
SA
SA
SA
SA
SA
SA
SA

SUBJECT:

1 (b)(6),(b)(7)(C) SGT (b)(6),(b)(7)(C) (DOB); (POB);
MALE; WHITE; A TROOP, 6/9TH CAVALRY REGIMENT (HOME STATION: FORT
HOOD, TX), FOB NORMANDY, APO AE 09324, IZ; CT ; [CONSPIRACY], [CRUELTY
AND MALTREATMENT], [MURDER (LAW OF ARMED CONFLICT VIOLATION)]

1

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b(2), b(6), b(7)(C)

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2. (b)(6),(b)(7)(C) CPL; (b)(6),(b)(7)(C) (DOB); (POB); MALE; WHITE; A TROOP, 6/9TH CAVALRY REGIMENT (HOME STATION: FT HOOD, TX), FOB NORMANDY, APO AE 09324, IZ; CT ; [CONSPIRACY], [DESECRATION OF BODY], [CRUELTY AND MALTREATMENT], [MURDER (LAW OF ARMED CONFLICT VIOLATION)]

3. (b)(6),(b)(7)(C) IRAQ; (DOB); (POB); MALE; ASIAN/PACIFIC ISLAND; EMPLOYEE NUMBER (b)(6),(b)(7)(C) A TROOP, 6/9TH CAVALRY REGIMENT, FOB NORMANDY APO AE 09342, IZ; [AGGRAVATED ASSAULT WITH A DEADLY WEAPON]

4. (b)(6),(b)(7)(C) SPC (b)(6),(b)(7)(C) (DOB); (POB); MALE; OTHER; A TROOP, 6/9TH CAVALRY REGIMENT (HOME STATION: FORT HOOD, TX), FOB NORMANDY, APO AE 09324, IZ; CT ; [CONSPIRACY], [CRUELTY AND MALTREATMENT], [MURDER (LAW OF ARMED CONFLICT VIOLATION)]

VICTIM:

1. UNKNOWN, (DECEASED); CIV; IRAQ; MALE; ASIAN/PACIFIC ISLAND; [CONSPIRACY], [CRUELTY AND MALTREATMENT], [AGGRAVATED ASSAULT WITH A DEADLY WEAPON], [MURDER (LAW OF ARMED CONFLICT VIOLATION)] (NFI)

2. 2. UNKNOWN, (DECEASED); IRAQ; MALE; ASIAN/PACIFIC ISLAND; [DESECRATION OF BODY] (NFI)

INVESTIGATIVE SUMMARY:

This is an Operation Iraqi Freedom Investigation

On 26 Aug 07, SA (b)(6),(b)(7)(C) was notified by CPT (b)(6),(b)(7)(C) Commander, A Troop, 6/9 CAV, Forward Operating Base (FOB) Normandy, Iraq APO AE 09391 of criminal suspicion in the Serious Incident Report (SIR) regarding the killing of a wounded Anti Iraqi Forces (AIF) member by SGT (b)(6),(b)(7)(C)

b(6), b(7)(C)

2

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Investigation determined SGT (b)(6),(b)(7)(C) committed the offenses of Murder and Aggravated Assault, when he walked into a room where an unarmed and wounded AIF member was lying and assaulted him and committed the offense of Cruelty and Maltreatment by not treating the AIF member. SGT (b)(6),(b)(7)(C) then shot him twice thus killing him. Investigation also determined SGT (b)(6),(b)(7)(C) committed the offense of Conspiracy when he instructed his soldiers to lie about the incident.

Investigation determined CPL (b)(6),(b)(7)(C) committed the offense of Desecration of a Corpse, when he shot a deceased AIF member in the head upon finding the corpse after an engagement between his squad and the AIF squad. CPL (b)(6),(b)(7)(C) committed the offense of Conspiracy to commit murder when he laid the pistol next to the wounded Anti Iraqi Forces member and related SGT (b)(6),(b)(7)(C) had to shoot and kill him in self defense.

Investigation determined SPC (b)(6),(b)(7)(C) committed the offenses of Attempted Murder and Conspiracy, when he and SGT (b)(6),(b)(7)(C) agreed to kill the AIF member. SPC (b)(6),(b)(7)(C) then attempted to murder the AIF member by smothering him.

Investigation determined (b)(6),(b)(7)(C) committed the offense of Aggravated Assault when he took his rifle and struck the unarmed wounded AIF member on his legs.

STATUTES:

Article 118, UCMJ: Murder

Article 81, UCMJ: Conspiracy

Article 93, UCMJ: Cruelty and Maltreatment

Article 92, UCMJ: Failure to obey Order or Regulation

Article 128, UCMJ: Aggravated Assault

EXHIBITS/SUBSTANTIATION:

ATTACHED:

b(6), b(7)(C)

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1. Agent's Investigation Report (AIR) of SA (b)(6),(b)(7)(C) 31 Aug 07.
2. Serious Incident Report (SIR) of CPT (b)(6),(b)(7)(C) 25 Aug 07.
3. Waiver Certificate and Sworn Statement of PV2 (b)(6),(b)(7)(C) 29 Aug 07.
4. Notification before questioning and Sworn Statement of (b)(6),(b)(7)(C) 29 Aug 07.
5. Waiver Certificate and Sworn Statement of SPC (b)(6),(b)(7)(C) 29 Aug 07.
6. Hand drawn sketch prepared by (b)(6),(b)(7)(C) 29 Aug 07.
7. Hand drawn sketch prepared by PV2 (b)(6),(b)(7)(C) 30 Aug 07.
8. Hand drawn sketch prepared by SPC (b)(6),(b)(7)(C) 30 Aug 07.
9. Waiver Certificate and Sworn Statement of SPC (b)(6),(b)(7)(C) 30 Aug 07.
10. Waiver Certificate and Sworn Statement of SPC (b)(6),(b)(7)(C) 30 Aug 07.
11. Waiver Certificate and Sworn Statement of PFC (b)(6),(b)(7)(C) 30 Aug 07.
12. CID Form 87-R-E Consent to Search of PFC (b)(6),(b)(7)(C) 30 Aug 07.
13. Hand drawn sketch prepared by PFC (b)(6),(b)(7)(C) 30 Aug 07.
14. CID Form 87-R-E Consent to Search of SPC (b)(6),(b)(7)(C) 30 Aug 07.
15. Hand drawn sketch prepared by SPC (b)(6),(b)(7)(C) 30 Aug 07.
16. CID Form 87-R-E Consent to Search of SPC (b)(6),(b)(7)(C) 30 Aug 07.
17. Non-Waiver Certificate of SGT (b)(6),(b)(7)(C) 30 Aug 07.
18. Waiver Certificate and Sworn Statement of SPC (b)(6),(b)(7)(C) 30 Aug 07.

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19. Copy of anonymous handwritten note obtained by SA (b)(6),(b)(7)
(C) 30 Aug 07.
20. Sworn Statement of SSG (b)(6),(b)(7)
(C) 30 Aug 07.
21. CID Form 87-R-E Consent to Search of SPC (b)(6),(b)(7)(C) 30 Aug 07.
22. Photographic Packet (Dead Anti Iraqi Forces Member).
23. CD containing the original images associated with Exhibit 22 (USACRC and file copies only).
24. Evidence/Property Custody Document, Document Number (DN) 0809-07.
25. DA Form 3745 Search and Seizure Authorization of SGT (b)(6),(b)(7)
(C) 31 Aug 07.
26. CID Form 87-R-E Consent to Search of PV2 (b)(6),(b)(7)
(C) 31 Aug 07.
27. Waiver Certificate and Sworn Statement of SPC (b)(6),(b)(7)
(C) 31 Aug 07.
28. AIR of SA (b)(6),(b)(7)(C) 2 Sep 07.
29. Sworn Statement of SGT (b)(6),(b)(7)(C) 22 Sep 07.
30. AIR of SA (b)(6),(b)
(7)(C) 22 Sep 07.
31. Waiver Certificate and Sworn Statement of PV (b)(6),(b)(7)
(C) 22 Sep 07.
32. Waiver Certificate and Sworn Statement of SPC (b)(6),(b)
(7)(C) 22 Sep 07.
33. Waiver Certificate and Sworn Statement of SPC (b)(6),(b)(7)(C) 22 Sep 07.
34. Customs Declaration pertaining to SGT (b)(6),(b)(7)(C) and 5 Sep 07.
35. AIR of SA (b)(6),(b)(7)
(C) Sep 07.
36. Photographic Packet (Crime Scene).

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37. CD containing the original images associated with Exhibit 36 (USACRC and file copies only).
38. Crime Scene Sketch prepared by SA (b)(6),(b)(7)(C) 23 Sep 07.
39. Canvass Interviews, 23 Sep 07.
40. AIR of SA (b)(6),(b)(7)(C), Fort Sam Houston CID office, 13 Sep 07.
41. CID Form 87-R-E Consent to Search of (b)(6),(b)(7)(C) 12 Sep 07.
42. AIR of SA (b)(6),(b)(7)(C) 16 Oct 07.
43. CID Form 118-E-R, Disclosure accounting record, 20 Oct 07
44. AIR of SA (b)(6),(b)(7)(C) 20 Oct 07.
45. DA Form 2062, Hand Receipt/Annex Number, pertaining to SGT (b)(6),(b)(7)(C)
46. Sworn Statement of SGT (b)(6),(b)(7)(C) 3 Oct 07.
47. AIR of SA (b)(6),(b)(7)(C) Fort Hood CID office, 30 Oct 07.
48. Sworn Statement of SGT (b)(6),(b)(7)(C) 30 Oct 07.
49. AIR of SA (b)(6),(b)(7)(C) Fort Hood CID office, 2 Nov 07.
50. Sworn Statement of SPC (b)(6),(b)(7)(C) 2 Nov 07.
51. AIR of SA (b)(6),(b)(7)(C) 27 Nov 07.
52. Evidence/Property Custody Document, Document Number (DN) 0957-07.
53. AIR of SA (b)(6),(b)(7)(C) 12 Feb 08.

NOT ATTACHED:

None.

The originals of Exhibits 1, 3 through 18, 20 through 23, 25 through 33, 35 through 44, 46 through 51, and 53 were forwarded with the USACRC copy of this report. The originals of Exhibits 2, 19, and 45 were maintained in the files of the Battalion Headquarters, 6/9 Cavalry, Ft. Hood, TX. The original of Exhibit 34 was maintained in the files of the U.S. Post office, FOB Normandy, Iraq. The originals of Exhibit 24 and 52 were retained in the Evidence Depository of the 11th Military Police Battalion (CID), Camp Liberty, Iraq APO AE 09342.

STATUS: This is a Final Report. Commanders Report of Disciplinary or Administrative Action (DA Form 4833) is pending.

On 6 Mar 08, SPC (b)(6),(b)(7)(C) was (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)

On 14 Mar 08, CPL (b)(6),(b)(7)(C) was (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)

CID reports of investigation may be subject to a Quality Assurance Review by CID higher headquarters.

b(6), b(7)(C)

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Report Prepared By:

Report Approved By:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Special Agent

Special Agent in Charge

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA

3rd MP Group, USACIDC, Fort Gillem, GA

Special Agent in Charge, 32nd MP DET (CID), LSA Anaconda, Balad, Iraq APO AE

09391

(b)(6),(b)(7)

SJA: CP (C)

BN CDR, ATTN: LTC (b)(6),(b)(7) /9TH CAV

CO CDR, ATTN: CPT (C)

11th MP BN

Commander, US Army Criminal Investigation Command, ATTN: CIOP-COP-CO,

6010 6th Street, Ft Belvoir,

FILE

b(6), b(7)(C)

8

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Fort Myer CID Office
105 Fenton Circle, Building 305, Fort Myer, VA 22211

02 Jun 2009

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0323-2008-CID041-37972 - 5H1K /
5X1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 01 JAN 2004, 0001 - 31 DEC 2005, 2359; UNKNOWN LOCATION, IRAQ

DATE/TIME REPORTED: 02 JUN 2008, 1130

INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)
SA
SA
SA

SUBJECT:

1. UNKNOWN-2023970-0323-2008-CID041-I ; [CONSPIRACY (UNFOUNDED)],
[MURDER (UNFOUNDED)] (NFI)

VICTIM:

1. U.S. GOVERNMENT; [CONSPIRACY (UNFOUNDED)]

2. UNKNOWN-2023971-0323-2008-CID041-I ; [MURDER (UNFOUNDED)] (NFI)

INVESTIGATIVE SUMMARY:

On 2 Jun 08, this office received Request for Investigation (RFI) 0013-08-CID001 from Headquarters, U.S. Army Criminal Investigation Command (USACIDC), Fort Belvoir, VA

1

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b(2), b(6), b(7)(C)

ACLU DETAINEE DEATH 2 CID 1200

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22060. The RFI requested this office investigate allegations that Mr (Former U.S. Army CPT) (b)(6),(b)(7)(C) Defense Intelligence Agency, Pentagon, Arlington, VA 22202, while deployed to Iraq, between 04 and 05, as a U.S. Army Intelligence Officer, unlawfully approved an Iraqi Intelligence Officer (NFI) to assassinate an (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) NFI) (aka's: (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)

Investigation determined the offenses of Conspiracy and Murder did not occur as alleged. Through coordinations with the Task Force Counter Intelligence Coordinating Authority, Camp Slayer, Iraq, APO AE 09342, reviews of U.S. Army Intelligence Information Reports disclosed there were no reports or mention of Mr (b)(6),(b)(7)(C) being killed during time frame of the alleged incident. Further it disclosed Mr (b)(6),(b)(7)(C) was mentioned in U.S. Army Intelligence Information Reports in Jan 09, and therefore, could not have been deceased at the time of the alleged incident.

STATUTES:

Article 81, UCMJ; Conspiracy (UNFOUNDED)
Article 118, UCMJ; Murder (UNFOUNDED)

EXHIBITS/SUBSTANTIATIONS:

Attached:

1. Agent's Investigation Report (AIR) of SA (b)(6),(b)(7)(C) 30 Jun 08.
2. Defense Manpower Data Center (DMDC) Query Documentation pertaining to Mr (b)(6),(b)(7)(C) (USACRC and file copies only)
3. Defense Intelligence Agency Agent Report pertaining to Mr (b)(6),(b)(7)(C) 5 Apr 07. (USACRC and file copies only)
4. Central Intelligence Agency Background report pertaining to Mr (b)(6),(b)(7)(C) 29 Dec 05. (USACRC and file copies only)
5. Standard For 86 (Security Clearance Application) of Mr (b)(6),(b)(7)(C) Apr 07.

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(USACRC and file copies only)

6. (3) Officer Evaluation Reports pertaining to Mr (b)(6),(b)(7)(C) 12 Feb 03 thru 20 Jun 05.
7. Compact Disc containing the U.S. Army Human Resources Command archived copies of Mr (b)(6),(b)(7)(C) Officer Record Brief and associated documents. (USACRC and file copies only)
8. AIR of SA (b)(6),(b)(7)(C) 9 Jun 08.
9. Sworn Statement of COI (b)(6),(b)(7)(C) 19 Jun 08.
10. AIR of SA (b)(6),(b)(7)(C) 17 Jul 08.
11. Sworn Statement of CPT (b)(6),(b)(7)(C) 16 Jul 08.
12. AIR of SA (b)(6),(b)(7)(C) 23 Jul 08.
13. Sworn Statement of LTC (b)(6),(b)(7)(C) 23 Jul 08.
14. AIR of SA (b)(6),(b)(7)(C) 25 Jul 08.
15. AIR of SA (b)(6),(b)(7)(C) 29 Jul 08.
16. Sworn Statement of Mr (b)(6),(b)(7)(C) 28 Jul 08.
17. AIR of SA (b)(6),(b)(7)(C) 15 Aug 08.
18. Sworn Statement of LTC (b)(6),(b)(7)(C) 8 Aug 08.
19. Sworn Statement of CPT (b)(6),(b)(7)(C) 15 Aug 08.
20. AIR of SA (b)(6),(b)(7)(C) 26 Aug 08.
21. Sworn Statement of CPT (b)(6),(b)(7)(C) 26 Aug 08.

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22. AIR of SA (b)(6), (b)(7) 25 Sep 08.
23. AIR of SA (b)(6),(b)(7)(C) 9 Sep 08.
24. Sworn Statement of LTC (b)(6),(b)(7)(C) 5 Aug 08.
25. Sworn Statement of COL (b)(6),(b)(7)(C) 8 Aug 08.
26. Sworn Statement of Mr (Retired LTC) (b)(6),(b)(7)(C) 4 Sep 08.
27. Sworn Statement of Mr (Retired CSM) (b)(6),(b)(7)(C) 9 Sep 08.
28. AIR of Mr (b)(6),(b)(7)(C) 13 Nov 08.
29. AIR of SA (b)(6),(b)(7)(C) 20 Apr 09.
30. AIR of SA (b)(6),(b)(7)(C) 21 Apr 09.
31. Rights Waiver Certificate and Sworn Statement of Mr (b)(6),(b)(7)(C) 27 Feb 09/

Not Attached:

NONE

The originals of Exhibits 1 and 8 through 31 are attached to the USACRC copy of this report. The originals of Exhibit 2 are retained in the Department of Defense, Defense Manpower Data Center data base. The originals of Exhibit 3 and 5 are retained in the files of the Defense Intelligence Agency, Pentagon, Arlington, VA 22202. The originals of Exhibit 4 are retained in the files of the Central Intelligence Agency, Washington, DC 20505. The originals of Exhibit 6 and the contents of 7 are retained in the files of the U.S. Army Human Resources Command, Alexandria, VA 22232

STATUS: This is a Final Report. Commander's Report of Disciplinary or Administrative Action Taken (DA Form 4833) is not required.

CID Reports of Investigation may be subject to a Quality Review by CID higher headquarters.

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Report Prepared By:

Report Approved By:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Special Agent

Special Agent in Charge

DISTRIBUTION:

- 1 - DIR, USACRC, Ft Belvoir, VA (Original)
- 1 - CDR, USACIDC, ATTN: CIOP-ZA, 6010 6th Street, Ft Belvoir, VA 22060
- 1 - CDR, 3rd MP Group, ATTN: Operations, Ft Gillem, GA 30297
- 1 - Chief of Detectives, DES, Ft Myer, VA 22211 (e-mail only)
- 1 - Chief, Criminal Justice, OSJA, Military District of Washington, Ft McNair, DC (e-mail only)
- 1 - Director of Emergency Services, Ft Myer, VA 22211 (email only)
- 1 - Defense Intelligence Agency, ATTN: SA (b)(6),(b)(7)(C) @dia.mil), Investigations Division, Arlington, VA 22201 (e-mail only)
- 1 - Mr James YOON, Trail Attorney, Domestic Security Section, U.S. Department of Justice, Criminal Division, 950 Pennsylvania Ave, Rm 6537, Washington, DC, 20530
- 1 - FILE

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b(6), b(7)(C)

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Camp Slayer CID Office
20th/1149th Military Police Detachment (CID) (FWD), Building YB20, Camp
Slayer, Baghdad, APO AE, Iraq

21 Jun 2008

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 1ST CORRECTED FINAL (C)/SSI -
0016-2008-CID259-52151 - 5H1A / 5H9B / 9G2F

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 APR 2006, 2100 - 03 OCT 2006, 2359; UNKNOWN RESIDENCE, OWESAT,
YUSIFIYAH, BAGHDAD, IRAQ

DATE/TIME REPORTED: 28 JAN 2008, 1140

INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)
SA
SA
SA

SUBJECT:

1. NONE, ; [MURDER (UNFOUNDED)], [UNDETERMINED MANNER OF
DEATH] (NFI)

VICTIM:

1. FARHAN, MAHMUD FADHIL (DECEASED); FRCIV; IRAQ; (DOB); (POB);
MALE; OTHER; OWESAT, BAGHDAD, IZ; XZ ; [MURDER (UNFOUNDED)],
[UNDETERMINED MANNER OF DEATH]

INVESTIGATIVE SUMMARY:

1

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b(2), b(6), b(7)(C)

ACLU DETAINEE DEATH 2 CID 1205

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This is an "Operation Iraqi Freedom" investigation.

This Corrected Final (C) Report was generated to document the limited distribution of Exhibits 14 through 20 and to correct the order of Exhibits 10 and 11.

On 28 Jan 08, CPT (b)(6),(b)(7)(C) Staff Judge Advocate, 3rd Brigade Combat Team (BCT), 101st Airborne Division (ABN DIV), Camp Striker, Iraq APO AE 09322 (CSTIZ), reported Mrs. (b)(6),(b)(7)(C) Owesat, Yusifiyah, Iraq, reported her son, Mr. FARHAN, was murdered by U.S. forces.

Investigation determined the offense of Murder did not occur as initially alleged by Mrs. (b)(6),(b)(7)(C). Investigation determined significant discrepancies existed between all identified witnesses pertaining to the date, location and details of the incident. Mrs. (b)(6),(b)(7)(C) related she witnessed a U.S. Soldier shoot and kill Mr. FARHAN in front of her residence around the fall of 2006 in the presence of two sisters, Ms. (b)(6),(b)(7)(C) both of Owesat, Iraq. During interviews of Ms. (b)(6),(b)(7)(C), both stated Mr. FARHAN was shot inside their residence which was located a half mile from Mrs. (b)(6),(b)(7)(C) residence. Both sisters further related Mrs. (b)(6),(b)(7)(C) was not present during the incident. Ms. (b)(6),(b)(7)(C) stated she also was shot during the incident and was MEDEVAC'd to the medical center at Baghdad Central Confinement Facility, Abu Ghraib, Iraq, immediately after the incident. However, a review of Ms. (b)(6),(b)(7)(C) medical records disclosed she was treated for an abdominal wound on 29 Apr 06 while Mr. FARHAN's death certificate listed his date of death as 3 Oct 06. Further, coordination with the Joint Operations Center, Multi-National Corps-Iraq, Camp Victory, Iraq, did not identify any military operation during either dates or locations as described by the alleged witnesses of the incident.

Investigation also determined although Mr. FARHAN's death certificate listed his cause of death as gunshot wound of the head and chest, Mr. FARHAN's death certificate was based on the word of a village representative provided to a medical officials several days after his death. The cause of Mr. FARHAN's death was unknown, and the manner of death was undetermined.

STATUS:

Article 118, UCMJ: Murder (Unfounded)

EXHIBITS/SUBSTANTIATION:

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Attached:

1. Agent's Investigation Report (AIR) of SA (b)(6),(b)(7)(C) 10 Mar 08.
2. English translation of Mrs. (b)(6),(b)(7)(C) Damage and Malfunctions Request, 9 Dec 06, translated by (b)(6),(b)(7)(C), L3 Communications, Camp Slayer, Iraq.
3. English translation of Mrs. (b)(6),(b)(7)(C) Monetary Compensation Request, 9 Dec 07, translated by (b)(6),(b)(7)(C)
4. English translation of statement of (b)(6),(b)(7)(C) translated by (b)(6),(b)(7)(C)
5. English translation of statement of (b)(6),(b)(7)(C) translated by (b)(6),(b)(7)(C)
6. English translation of Mr. FARHAN's Death Certificate, 2 Nov 06, translated by Mr. (b)(6),(b)(7)(C)
7. English translation of Mrs. (b)(6),(b)(7)(C) Monetary Compensation Request, 9 Dec 07, translated by (b)(6),(b)(7)(C)
8. Memorandum for Record of SSG (b)(6),(b)(7)(C) 12 Dec 07.
9. Sworn Statement of 1LT (b)(6),(b)(7)(C) 29 Feb 08.
10. Sworn Statement of CPT (b)(6),(b)(7)(C) 3 Mar 08.
11. English translation of Interview Sketch of (b)(6),(b)(7)(C) 10 Mar 08, translated by Mr. (b)(6),(b)(7)(C)
12. AIR of SA (b)(6),(b)(7)(C) 1 May 08.
13. (13-1 through 13-3) Medical Records of Ms. (b)(6),(b)(7)(C) 29 Apr 06 through 14 May 06.
14. Arabic Damage and Malfunction's Request of Mr. (b)(6),(b)(7)(C) 9 Dec 06. (USACRC,

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b(6), b(7)(C)

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USACIDC, and file copies only)

15. Arabic Monetary Compensation Request of Mr. (b)(6),(b)(7)(C) 9 Dec 07. (USACRC, USACIDC, and file copies only)

16. Arabic statement of (b)(6),(b)(7)(C) (USACRC, USACIDC, and file copies only)

17. Arabic statement of (b)(6),(b)(7)(C) (USACRC, USACIDC, and file copies only)

18. Arabic Death Certificate of Mr. FARHAN, 2 Nov 06. (USACRC, USACIDC, and file copies only)

19. Arabic Monetary Compensation Request of Mr. (b)(6),(b)(7)(C) 9 Dec 07. (USACRC, USACIDC, and file copies only)

20. Arabic sketch of (b)(6),(b)(7)(C) 10 Mar 08. (USACRC, USACIDC, and file copies only)

Not Attached:

None

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STATUS: This is a Final (C) Report. Commander's Report of Disciplinary or Administrative Action (DA 4833) taken is not required.

CID reports of investigation may be subject to a quality assurance review by CID higher headquarters.

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Report Prepared By:

Report Approved By:

(b)(6),(b)(7)(C)

Special Agent

(b)(6),(b)(7)(C)

Special Agent in Charge

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Camp Slayer CID Office
20th/1149th Military Police Detachment (CID) (FWD), Building YB20, Camp
Slayer, Baghdad, APO AE, Iraq

20 Jun 2008

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0016-2008-CID259-52151 -
5H1A / 5H9B / 9G2F

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 28 APR 2006, 2100 - 03 OCT 2006, 2359; UNKNOWN RESIDENCE, OWESAT,
YUSIFIYAH, BAGHDAD, IRAQ

DATE/TIME REPORTED: 28 JAN 2008, 1140

INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)

SA

SA

SUBJECT:

1. NONE, ; [MURDER (UNFOUNDED)], [UNDETERMINED MANNER OF
DEATH] (NFI)

VICTIM:

1. FARHAN, MAHMUD FADHIL (DECEASED); FRCIV; IRAQ; (DOB); (POB);
MALE; OTHER; OWESAT, BAGHDAD, IZ; XZ ; [MURDER (UNFOUNDED)],
[UNDETERMINED MANNER OF DEATH]

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation.

1

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b(2),b(6),b(7)(C)

ACLU DETAINEE DEATH 2 CID 1210

6

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On 28 Jan 08, CPT (b)(6),(b)(7)(C) Staff Judge Advocate, 3rd Brigade Combat Team (BCT), 101st Airborne Division (ABN DIV), Camp Striker, Iraq APO AE 09322 (CSTIZ), reported (b)(6),(b)(7)(C) Owesat, Yusifiyah, Iraq, reported her son, Mr. FARHAN, was murdered by U.S. forces.

Investigation determined the offense of Murder did not occur as initially alleged by (b)(6),(b)(7)(C). Investigation determined significant discrepancies existed between all identified witnesses pertaining to the date, location and details of the incident. (b)(6),(b)(7)(C) related she witnessed a U.S. Soldier shoot and kill Mr. FARHAN in front of her residence around the fall of 2006 in the presence of two sisters, (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) both of Owesat, Iraq. During interviews of (b)(6),(b)(7)(C) and (b)(6) both stated Mr. FARHAN was shot inside their residence which was located a half mile from (b)(6),(b)(7)(C) residence. Both sisters further related (b)(6),(b)(7)(C) was not present during the incident. (b)(6),(b)(7)(C) stated she also was shot during the incident and was MEDEVAC'd to the medical center at Baghdad Central Confinement Facility, Abu Ghraib, Iraq, immediately after the incident. However, a review of (b)(6),(b)(7)(C) medical records disclosed she was treated for an abdominal wound on 29 Apr 06 while Mr. FARHAN's death certificate listed his date of death as 3 Oct 06. Further coordination with the Joint Operations Center, Multi-National Corps-Iraq, Camp Victory, Iraq, did not identify any military operation during either dates or locations as described by the alleged witnesses of the incident.

Investigation also determined although Mr. FARHAN's death certificate listed his cause of death as gunshot wound of the head and chest, Mr. FARHAN's death certificate was based on the word of a village representative provided to a medical officials several days after his death. The official cause of Mr. FARHAN's death was unknown, and the manner of death was undetermined.

STATUS:

Article 118, UCMJ: Murder (Unfounded)

EXHIBITS/SUBSTANTIATION:

Attached:

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1. Agent's Investigation Report (AIR) of SA (b)(6),(b)(7)(C) 10 Mar 08.
2. English translation of (b)(6),(b)(7)(C) Damage and Malfunctions Request, 9 Dec 06, translated by (b)(6) L3 Communications, Camp Slayer, Iraq.
3. English translation of (b)(6),(b)(7)(C) Monetary Compensation Request, 9 Dec 07, translated by (b)(6),(b)(7)(C)
4. English translation of statement of (b)(6),(b)(7)(C) translated by (b)(6)
5. English translation of statement of (b)(6) translated by (b)(6),(b)(7)(C)
6. English translation of Mr. FARHAN's Death Certificate, 2 Nov 06, translated by (b)(6),(b)(7)(C)
7. English translation of (b)(6),(b)(7)(C) Monetary Compensation Request, 9 Dec 07, translated by (b)(6),(b)(7)(C)
8. Memorandum for Record of SSG (b)(6),(b)(7)(C) 12 Dec 07.
9. Sworn Statement of 1LT (b)(6),(b)(7)(C) 29 Feb 08.
10. English translation of Interview Sketch of (b)(6),(b)(7)(C) 10 Mar 08, translated by (b)(6),(b)(7)(C)
11. Sworn Statement of CPT (b)(6) 3 Mar 08.
12. AIR of SA (b)(6),(b)(7)(C) 21 May 08.
13. (13-1 through 13-3) Medical Records of (b)(6),(b)(7)(C) 29 Apr 06 through 14 May 06.
14. Arabic Damage and Malfunction's Request of (b)(6),(b)(7)(C) 9 Dec 06.
15. Arabic Monetary Compensation Request of (b)(6),(b)(7)(C) 9 Dec 07.
16. Arabic statement of (b)(6),(b)(7)(C)

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17. Arabic statement of (b)(6),(b)(7)(C)
18. Arabic Death Certificate of Mr. FARHAN, 2 Nov 06.
19. Arabic Monetary Compensation Request of (b)(6),(b)(7)(C) 9 Dec 07..
20. Arabic sketch of (b)(6),(b)(7)(C)

Not Attached:

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b(6), b(7)(C)