

**COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION**

For use of this form, see AR 190-45; the proponent agency is the Office of 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 PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.

**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.

**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

**1. CONTROL INFORMATION**

Thru: Commander 3rd SFG Fort Bragg NC 28310	USACRC Number:  0906-2011-CID023-43647-5H1A	
	MP Report Number:  N/A	
To: Commander 2nd BN Fort Bragg NC 28310	Sub-Installation:  NC28307DC	
	Referred By: SAC, CID Office; Fort Bragg CID Office (b)(6)(b)(7)(C)	Referral Date (YYYYMMDD) :  20131203
		Suspense Date (YYYYMMDD) :  20140514

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 INFORMATION**

Last Name:  GOLSTEYN	Cadency:	
First Name:  MATHEW	Grade:  O-3 U.S. Army (CPT)	
Middle Name:  LEE	SSN:  (b)(6)(b)(7)(C)	Date of Birth: (YYYYMMDD) :  (b)(6)(b)(7)(C)

**3. REFERRAL INFORMATION****Commander Decision Date:** 12/3/2013

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Murder [5H1A]	UCMJ Article 118	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Accepted
2	Conspiracy [5X1]	UCMJ Article 81	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Accepted
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

3. REFERRAL INFORMATION (Continued)						
No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**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		
<input checked="" type="checkbox"/> <b>Administrative</b> Non-Adverse Referrals Adverse Personnel Actions	<input type="checkbox"/> <b>Non-Judicial (Article 15)</b> (see details below)	<input type="checkbox"/> <b>Judicial</b> Court Martial or Civilian Criminal
<b>Non-Judicial Punishment Authority (select one) :</b> <input type="checkbox"/> Summarized <input type="checkbox"/> GCMCA Imposed <input type="checkbox"/> Company Grade <input type="checkbox"/> General Officer Imposed <input type="checkbox"/> Field Grade <input type="checkbox"/> Principal Assistant		<b>Judicial Punishment Authority (select one) :</b> <input type="checkbox"/> Summary Court Martial <input type="checkbox"/> General Court Martial <input type="checkbox"/> Special Court Martial <input type="checkbox"/> Civilian Criminal/Magistrate

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome				
No.	Charged Offense	Plea	Finding Offense	Trial Finding

**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

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6. ADMINISTRATIVE ACTIONS							
Non-Adverse:							
Agency	Date Referred (YYYYMMDD)	Date Responded (YYYYMMDD)	Date Imposed (YYYYMMDD)	Type of Action	Oral	Written	
						Local	OMPF
Family Advocacy				Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drug/Alcohol Abuse			20140424	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Special Referral				Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Equal Opportunity				Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Office							
Mental Health							
Relief Agency							

**Adverse:**

Date Imposed (YYYYMMDD)	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
	<div style="display: flex; justify-content: space-between;"> <span>Retirement at Lower Grade</span> <div>           From: <input style="width: 100%;" type="text"/>            To: <input style="width: 100%;" type="text"/> </div> </div>
	Transfer to Inactive Reserve
	Military Occupational Specialty Reclassification
	<div style="display: flex; justify-content: space-between;"> <span>Debarment</span> <div>           Duration: <input style="width: 50px;" type="text"/> Days <input style="width: 50px;" type="text"/> Months <input style="width: 50px;" type="text"/> Years         </div> </div>

## Adverse: (Continued)

7. **DETAILS OF ADMINISTRATIVE SEPARATION**

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

Date Adjudged  
(YYYYMMDD)000004

9. SUSPENDED SANCTIONS	
Were Any Sanctions Suspended? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>NOTE:</b> 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

On 24 April 2014, MAJ Golsteyn received a GOMOR for Law of Armed Conflict Violation. Commander, U.S. Army Special Forces Command directed MAJ Golsteyn's GOMOR be filed in his AMHRR, further his Special Forces Tab was revoked.

USASCRC Number: 0906-2011-CID023-43647-5H1A

Sanction: H2 2014/04/24

11.

## COMMANDING OFFICER

Was a DNA sample collected from the offender? ☐ Yes ☒ No

Name:

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

Grade:

Director, Crime Records Center

AKO e-Mail Address:

Signature:

Signature Date (YYYYMMDD) :

20140821

**COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION**

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**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: OSJA, 18th Abn Corps ATTN: SAUSA Fort Bragg NC 28310	USACRC Number: 0906-2011-CID023-43647-5H1A
To: Director, US Army Crime Records Center 27130 Telegraph Road Quantico VA 22134	MP Report Number: N/A
Referred By: SAC, CID Office, Fort Bragg CID Office (b)(6)(b)(7)(C)	Sub-Installation: NC28307DC
	Referral Date (YYYYMMDD) : 20131203
	Suspense Date (YYYYMMDD) : 20140117

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.

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**2. OFFENDER INFORMATION**

Last Name: UNKNOWN	Cadency:	
First Name: 2390494-0906-2011-CID023-I	Grade:	
Middle Name:	SSN:	Date of Birth: (YYYYMMDD) :

**3. REFERRAL INFORMATION****Commander Decision Date:** 12/3/2013

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Murder [5H1A]	UCMJ Article 118	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Known Suspect
2	Conspiracy [5X1]	UCMJ Article 8I	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Known Suspect
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

3. REFERRAL INFORMATION (Continued)						
No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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

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4. ACTION TAKEN		
<input type="checkbox"/> <b>Administrative</b> Non-Adverse Referrals Adverse Personnel Actions	<input type="checkbox"/> <b>Non-Judicial (Article 15)</b> (see details below)	<input type="checkbox"/> <b>Judicial</b> Court Martial or Civilian Criminal
<b>Non-Judicial Punishment Authority (select one) :</b> <input type="checkbox"/> Summarized <input type="checkbox"/> GCMCA Imposed <input type="checkbox"/> Company Grade <input type="checkbox"/> General Officer Imposed <input type="checkbox"/> Field Grade <input type="checkbox"/> Principal Assistant		<b>Judicial Punishment Authority (select one) :</b> <input type="checkbox"/> Summary Court Martial <input type="checkbox"/> General Court Martial <input type="checkbox"/> Special Court Martial <input type="checkbox"/> Civilian Criminal/Magistrate

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome				
No.	Charged Offense	Plea	Finding Offense	Trial Finding

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6. ADMINISTRATIVE ACTIONS							
Non-Adverse:							
Agency	Date Referred (YYYYMMDD)	Date Responded (YYYYMMDD)	Date Imposed (YYYYMMDD)	Type of Action	Oral	Written	
						Local	OMPF
Family Advocacy				Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drug/Alcohol Abuse				Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Referral				Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Equal Opportunity				Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Office							
Mental Health							
Relief Agency							

Adverse:	
Date Imposed (YYYYMMDD)	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
	<div style="display: flex; justify-content: space-between;"> <span>Retirement at Lower Grade</span> <div>           From: <input style="width: 100%;" type="text"/>            To: <input style="width: 100%;" type="text"/> </div> </div>
	Transfer to Inactive Reserve
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	<div style="display: flex; justify-content: space-between;"> <span>Debarment</span> <div>           Duration: <input style="width: 50px;" type="text"/> Days <input style="width: 50px;" type="text"/> Months <input style="width: 50px;" type="text"/> Years         </div> </div>

000010

9. SUSPENDED SANCTIONS	
Were Any Sanctions Suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No <b>NOTE:</b> 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: _____
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Extra Duty	Date Suspended: _____ Suspension Duration: _____
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	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: _____
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Special Assignment	Date Suspended: _____ Suspension Duration: _____
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	Suspended Portion Time: _____
	Suspension Conditions: _____
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	Suspended Portion US\$: _____
	Suspension Conditions: _____
Civil Award	Date Suspended: _____ Suspension Duration: _____
	Suspended Portion US\$: _____
	Suspension Conditions: _____
	_____
	_____
	_____
	_____
	_____
	_____



10.

## Commander's Remarks

UNKNOWN subject

USASCRC Number: 0906-2011-CID023-43647-5H1A

Sanction:

11.

## COMMANDING OFFICER

Was a DNA sample collected from the offender? ☐ Yes ☒ No

Name: (b)(6)(b)(7)(C)

Grade:  
Investigative Operations Assistant

AKO e-Mail Address:

Signature:

Signature Date (YYYYMMDD) :  
20131203

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**1. CONTROL INFORMATION**

<b>Thru:</b> OSJA, 18th Abn Corps ATTN: SAUSA Fort Bragg NC 28310	<b>USACRC Number:</b> 0906-2011-CID023-43647-5H1A
<b>To:</b> Director, US Army Crime Records Center 27130 Telegraph Road Quantico VA 22134	<b>MP Report Number:</b> N/A
<b>Referred By:</b> SAC, CID Office, Fort Bragg CID Office (b)(6)(b)(7)(C)	<b>Sub-Installation:</b> NC28307DC
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**2. OFFENDER INFORMATION**

<b>Last Name:</b> UNKNOWN	<b>Cadency:</b>	
<b>First Name:</b> 2390501-0906-2011-CID023-I	<b>Grade:</b>	
<b>Middle Name:</b>	<b>SSN:</b>	<b>Date of Birth: (YYYYMMDD) :</b>

**3. REFERRAL INFORMATION****Commander Decision Date:** 12/3/2013

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Obstruction of Justice [5X5]	UCMJ Article 134	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Known Suspect
2	Accessory After The Fact [5X4]	UCMJ Article 78	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Known Suspect
3	Conspiracy [5X1]	UCMJ Article 81	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Known Suspect
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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<b>Non-Judicial Punishment Authority (select one) :</b> <input type="checkbox"/> Summarized <input type="checkbox"/> GCMCA Imposed <input type="checkbox"/> Company Grade <input type="checkbox"/> General Officer Imposed <input type="checkbox"/> Field Grade <input type="checkbox"/> Principal Assistant		<b>Judicial Punishment Authority (select one) :</b> <input type="checkbox"/> Summary Court Martial <input type="checkbox"/> General Court Martial <input type="checkbox"/> Special Court Martial <input type="checkbox"/> Civilian Criminal/Magistrate

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Agency	Date Referred (YYYYMMDD)	Date Responded (YYYYMMDD)	Date Imposed (YYYYMMDD)	Type of Action	Oral	Written	
						Local	OMPF
Family Advocacy				Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drug/Alcohol Abuse				Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Referral				Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Equal Opportunity				Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Office							
Mental Health							
Relief Agency							

Adverse:		
Date Imposed (YYYYMMDD)	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	
	Military Occupational Specialty Reclassification	
	Debarment	Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years

DA FORM 4833, FEB 2010 Page 4 of 6  
APD PE v1.02ES

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9. <b>SUSPENDED SANCTIONS</b>	
Were Any Sanctions Suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>NOTE:</b> 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

UNKNOWN subject

USASCRC Number: 0906-2011-CID023-43647-5H1A

Sanction:

11.

## COMMANDING OFFICER

Was a DNA sample collected from the offender? ☐ Yes ☒ No

Name: (b)(6)(b)(7)(C)

Grade:  
Investigative Operations Assistant

AKO e-Mail Address:

Signature:

Signature Date (YYYYMMDD) :  
20131203



**COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION**

For use of this form, see AR 190-45; the proponent agency is the Office of 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 PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.

**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.

**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

**1. CONTROL INFORMATION**

Thru: OSJA, 18th Abn Corps ATTN: SAUSA Fort Bragg NC 28310	USACRC Number: 0906-2011-CID023-43647-5H1A
To: Director, US Army Crime Records Center 27130 Telegraph Road Quantico VA 22134	MP Report Number: N/A
Referred By: SAC, CID Office, Fort Bragg CID Office (b)(6)(b)(7)(C)	Sub-Installation: NC28307DC
	Referral Date (YYYYMMDD) : 20131203
	Suspense Date (YYYYMMDD) : 20140117

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 INFORMATION**

Last Name: UNKNOWN	Cadency:	
First Name: 2390498-0906-2011-CID023-1	Grade:	
Middle Name:	SSN:	Date of Birth: (YYYYMMDD) :

**3. REFERRAL INFORMATION****Commander Decision Date:** 12/3/2013

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Obstruction of Justice [5X5]	UCMJ Article 134	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Known Suspect
2	Accessory After The Fact [5X4]	UCMJ Article 78	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Known Suspect
3	Conspiracy [5X1]	UCMJ Article 81	20100201	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Known Suspect
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

3. REFERRAL INFORMATION (Continued)						
No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**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		
<input type="checkbox"/> <b>Administrative</b> Non-Adverse Referrals Adverse Personnel Actions	<input type="checkbox"/> <b>Non-Judicial (Article 15)</b> (see details below)	<input type="checkbox"/> <b>Judicial</b> Court Martial or Civilian Criminal
<b>Non-Judicial Punishment Authority (select one) :</b> <input type="checkbox"/> Summarized <input type="checkbox"/> GCMCA Imposed <input type="checkbox"/> Company Grade <input type="checkbox"/> General Officer Imposed <input type="checkbox"/> Field Grade <input type="checkbox"/> Principal Assistant		<b>Judicial Punishment Authority (select one) :</b> <input type="checkbox"/> Summary Court Martial <input type="checkbox"/> General Court Martial <input type="checkbox"/> Special Court Martial <input type="checkbox"/> Civilian Criminal/Magistrate

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome				
No.	Charged Offense	Plea	Finding Offense	Trial Finding

**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

**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	Date Referred (YYYYMMDD)	Date Responded (YYYYMMDD)	Date Imposed (YYYYMMDD)	Type of Action	Oral	Written	
						Local	OMPF
Family Advocacy				Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drug/Alcohol Abuse				Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Referral				Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Equal Opportunity				Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Office							
Mental Health							
Relief Agency							

Adverse:		
Date Imposed (YYYYMMDD)	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	
	Military Occupational Specialty Reclassification	
	Debarment	Duration: <input type="text"/> Days <input type="text"/> Months <input type="text"/> Years







9. <b>SUSPENDED SANCTIONS</b>	
Were Any Sanctions Suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>NOTE:</b> 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

UNKNOWN subject

USASCRC Number: 0906-2011-CID023-43647-SH1A

Sanction:

11.

## COMMANDING OFFICER

Was a DNA sample collected from the offender? ☐ Yes ☒ No

Name

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

Grade:

Investigative Operations Assistant

AKO e-Mail Address:

Signature:

Signature Date (YYYYMMDD) :

20131203

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**DEPARTMENT OF THE ARMY**

U.S. ARMY CRIMINAL INVESTIGATION COMMAND

Fort Bragg CID Office

Building 8-1221 Randolph Street, Fort Bragg, NC 28310-8310

27 Nov 2013

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0906-2011-CID023-43647 -  
5H1A / 5X5 / 5X4 / 5X1 / 5Y2B0 / 9J

**DATES/TIMES/LOCATIONS OF OCCURRENCES:**

1. 01 FEB 2010, 0001 - 28 FEB 2010, 2359; IN VICINITY OF FORWARD  
OPERATING BASE MCQUEARY, MARJAH, AFGHANISTAN

2. 03 NOV 2012, 0900 - 04 NOV 2013, 2359; VARIOUS LOCATIONS,  
STUTTGART, AE 09154

DATE/TIME REPORTED: 03 OCT 2011, 1419

**INVESTIGATED BY:**

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

**SUBJECT:**

1. GOLSTEYN, MATHEW LEE; CPT; (XXX-X)(b)(6)(b)(7)(C) DOB); (POB); MALE;  
WHITE; B COMPANY, 2ND BATTALION, 3RD SPECIAL FORCES GROUP, FORT  
BRAGG, NC 28307; SP ; [MURDER], [CONSPIRACY]

2. UNKNOWN-2390494-0906-2011-CID023-I ; MALE; [MURDER],  
[CONSPIRACY] (NFI)

3. UNKNOWN-2390501-0906-2011-CID023-I ; MALE; [OBSTRUCTION OF  
JUSTICE], [ACCESSORY AFTER THE FACT], [CONSPIRACY] (NFI)

4. UNKNOWN-2390498-0906-2011-CID023-I ; MALE; [OBSTRUCTION OF  
JUSTICE], [ACCESSORY AFTER THE FACT], [CONSPIRACY] (NFI)

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downgrading and declassification (Chap 3, AR 7-5.3)

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5. (b) (6), (b) (7)(C) MSG; (b) (6), (b) (7)(C) (DOB); (POB); MALE; WHITE; SPECIAL OPERATIONS COMMAND AFRICA, KELLY BARRACKS, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09131; DJ; [OBSTRUCTION OF JUSTICE], [FAIL TO OBEY GENERAL ORDER]

**VICTIM:**

1. UNKNOWN-2355967-0906-2011-CID023-I (DECEASED); (POB); MALE; AF; [MURDER] (NFI)

2. U.S. GOVERNMENT; [OBSTRUCTION OF JUSTICE], [FAIL TO OBEY GENERAL ORDER], [ACCESSORY AFTER THE FACT], [CONSPIRACY]

**INVESTIGATIVE SUMMARY:**

On 3 Oct 11, this office received a Request for Investigation (Tab #1, Raw Data File 0074-11-CID001) from Headquarters, US Army Criminal Investigation Command, Quantico, VA, 22134, which identified CPT GOLSTEYN committed War Crimes when he shot an unknown Afghani male detainee in Afghanistan in Feb 10.

Investigation determined CPT GOLSTEYN committed the offenses of Murder and Conspiracy, when he conspired with an unknown service member of his Operation Detachment Alpha (ODA) 3121 team to murder an unknown Afghani male detainee believed to be responsible for Improvised Explosive Devices (IED) located in their Area of Operation (AO) in the vicinity of Forward Operating Base (FOB) McQueary in Feb 10. CPT GOLSTEYN admitted this

Investigation further determined CPT GOLSTEYN and two unknown service members of his ODA 3121 team conspired to exhume, transport, and burn the remains after the fact.

Investigation further determined MSG (b) (6), (b) (7)(C) committed the offenses of Failure to Obey a Lawful Order and Obstruction of Justice when he knowingly violated a testimonial Letter of Immunity signed by the Commander, US Army Special Operations Command (USASOC), and repeatedly declined to obey the terms of the Letter of Immunity from the duly authorized General Courts-Martial Convening Authority (GCMCA).

CPT (b) (6), (b) (7)(C) Office of the Staff Judge Advocate (SJA), US Army Special Forces Command (USASFC), Fort Bragg, NC 28310, concurred probable cause existed to believe CPT GOLSTEYN committed the offenses of Murder and Conspiracy, when he conspired with unknown service members of his ODA 3121 team and knowingly assassinated an unknown Afghani male detainee, buried him in a shallow grave, and later returned to burn the remains.

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CPT (b) (6), (b) (7)(C) SJA, USASFC, concurred probable cause existed to believe MSG (b) (6), (b) (7)(C) committed the offenses of Failure to Obey a Lawful Order and Obstruction of Justice when he failed for one year to comply with the written Letter of Immunity issued by an appropriate GCMCA.

**STATUTES:**

Article 118; UCMJ: Murder

Article 81; UCMJ: Conspiracy

Article 134; UCMJ: Obstructing Justice

Article 78; UCMJ: Accessory After the Fact

Article 92; UCMJ: Failure to Obey a Lawful Order

**EXHIBITS:**

**ATTACHED:**

1. Agent's Investigation Report (AIR) of SA (b) (6), (b) (7)(C) 20 Oct 11.
2. Officer Record Brief of CPT GOLSTEYN, 5 Oct 11.
3. Officer Evaluation Report of CPT GOLSTEYN, 1 Sep 10.
4. AIR of SA (b) (6), (b) (7)(C) 21 Nov 11.
5. Recommendation for Award for CPT GOLSTEYN, 8 Apr 11.
6. Narrative for Silver Star Award for CPT GOLSTEYN.
7. Silver Star Award for CPT GOLSTEYN, 3 Mar 11.
8. [8-1 through 8-2] Casualty Status Report for SGT MCQUEARY and LCPL JOHNSON, 18 Feb 10.
9. Area Orientation Maps and Operational Breakdown. (USACIDC Addresses Only)
10. AIR of SA (b) (6), (b) (7)(C) 21 Nov 11.

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11. AIR of SA (b)(6)(b)(7)(C) 1 Dec 11.
12. Non-Rights Waiver Certificate of CPT GOLSTEYN, 29 Nov 11.
13. DVD containing interview of CPT GOLSTEYN, 29 Nov 11.
14. Rights Waiver and Sworn Statement of SFC (b)(6)(b)(7)(C) 29 Nov 11.
15. Hand-Drawn Sketch by SFC (b)(6)(b)(7)(C) 29 Nov 11.
16. Rights Waiver and Sworn Statement of SSC (b)(6)(b)(7)(C) 29 Nov 11.
17. Rights Waiver of SFC (b)(6)(b)(7)(C) 29 Nov 11.
18. Hand-Drawn sketch by SFC (b)(6)(b)(7)(C) 29 Nov 11.
19. AIR of SA (b)(6)(b)(7)(C) 16 Dec 11.
20. Naval Criminal Investigation Service (NCIS) Agent Report of CPT (b)(6)(b)(7)(C) interview, 4 Dec 11.
21. DVD containing interviews of GySgt (b)(6)(b)(7)(C) and SGT (b)(6)(b)(7)(C) interviews, 8 Dec 11.
22. Hand-Drawn Sketch by GySgt (b)(6)(b)(7)(C) 8 Dec 11.
23. Hand-Drawn Sketch by SGT (b)(6)(b)(7)(C) 8 Dec 11.
24. [24-1 through 24-2] Hand-Drawn Sketch by GySgt (b)(6)(b)(7)(C) 8 Dec 11.
25. DVD containing CPT (b)(6)(b)(7)(C) interview, 8 Dec 11.
26. [26-1 through 26-2] Hand-Drawn Sketch by CPT (b)(6)(b)(7)(C) 8 Dec 11.
27. DVD containing SGT (b)(6)(b)(7)(C) interview, 8 Dec 11.
28. Hand-Drawn Sketch by SGT (b)(6)(b)(7)(C) 8 Dec 11.
29. AIR of SA (b)(6)(b)(7)(C) 8 Dec 11.
30. Rights Waiver of MSG (b)(6)(b)(7)(C) 1 Dec 11.

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- 31. AIR of SA (b)(6)(b)(7)(C) 29 Nov 11.
- 32. Sworn Statement of HM2 (b)(6)(b)(7)(C) 29 Nov 11.
- 33. AIR of SA (b)(6)(b)(7)(C) 13 Dec 11.
- 34. AIR of SA (b)(6)(b)(7)(C) 5 Dec 11.
- 35. Sworn Statement of SFC (b)(6)(b)(7)(C) 14 Dec 11.
- 36. Sworn Statement of SFC (b)(6)(b)(7)(C) 14 Dec 11.
- 37. Photograph depicting image of CPT GOLSTEYN's interpreter (b)(6)(b)(7)(C)
- 38. AIR of SA (b)(6)(b)(7)(C) 27 Dec 11.
- 39. AIR of SA (b)(6)(b)(7)(C) 9 Dec 11.
- 40. NCIS Agent Report of CPT (b)(6)(b)(7)(C) interview, 4 Dec 11.
- 41. DVD containing NCIS interview of CPT (b)(6)(b)(7)(C) 4 Dec 11.
- 42. AIR of SA (b)(6)(b)(7)(C) 20 Jan 12.
- 43. AIR of SA (b)(6)(b)(7)(C) 5 Dec 11.
- 44. NCIS Agent Report of SGT (b)(6)(b)(7)(C) interview, 20 Dec 11.
- 45. NCIS Agent Report of SGT (b)(6)(b)(7)(C) interview, 29 Dec 11.
- 46. NCIS Agent Report of Mr. (b)(6)(b)(7)(C) interview, 22 Dec 11.
- 47. AIR of SA (b)(6)(b)(7)(C) 27 Jan 12.
- 48. AIR of SA (b)(6)(b)(7)(C) 29 Feb 12.
- 49. AIR of SA (b)(6)(b)(7)(C) 26 Mar 12.
- 50. AIR of SA (b)(6)(b)(7)(C) 4 Feb 12.
- 51. Sworn Statement of MAJ (b)(6)(b)(7)(C) 14 Feb 12.

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- 52. AIR of SA (b)(6)(b)(7)(C) 16 Apr 12.
- 53. AIR of SA (b)(6)(b)(7)(C) 10 May 12.
- 54. AIR of SA (b)(6)(b)(7)(C) 31 May 12.
- 55. AIR of SA (b)(6)(b)(7)(C) 10 May 12.
- 56. Sworn Statement of Mr (b)(6)(b)(7)(C) 9 May 12.
- 57. AIR of SA (b)(6)(b)(7)(C) 12 Jun 12.
- 58. AIR of SA (b)(6)(b)(7)(C) Jun 12.
- 59. AIR of SA (b)(6)(b)(7)(C) 28 Nov 11.
- 60. AIR of SA (b)(6)(b)(7)(C) 23 Dec 11.
- 61. Photographic Packet (Burn Pit).
- 62. CD containing all original images associated with Exhibit 61. (SJA, CDR, USACRC, and File Copy Only)
- 63. AIR of SA (b)(6)(b)(7)(C) 8 Feb 12.
- 64. AIR of SA (b)(6)(b)(7)(C) 1 May 12.
- 65. AIR of SA (b)(6)(b)(7)(C) 5 Jul 12.
- 66. AIR of SA (b)(6)(b)(7)(C) 26 Jun 12.
- 67. AIR of SA (b)(6)(b)(7)(C) 20 Jul 12.
- 68. AIR of SA (b)(6)(b)(7)(C) 23 Aug 12.
- 69. Hand-Drawn Sketch by HM3 (b)(6)(b)(7)(C) (FOB MCQUEARY), 23 Aug 12.
- 70. DVD containing interview of HM3 (b)(6)(b)(7)(C) 23 Aug 12.
- 71. AIR of SA (b)(6)(b)(7)(C) 5 Sep 12.



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- 72. DVD containing interview of CPL (b)(6)(b)(7)(C) (Audio Only), 2 Sep 12.
- 73. Hand-Drawn Sketch by CPL (b)(6)(b)(7)(C) 2 Sep 12.
- 74. Plano Police Department Arrest Record of SSG (b)(6)(b)(7)(C) Case #2011-00225801, 17 Dec 11. (USACIDC Addresses Only)
- 75. AIR of SA (b)(6)(b)(7)(C) 27 Sep 12.
- 76. AIR of SA (b)(6)(b)(7)(C) 26 Sep 12.
- 77. Sworn Statement of SFC (b)(6)(b)(7)(C) 26 Sep 12.
- 78. AIR of SA (b)(6)(b)(7)(C) 26 Nov 12.
- 79. GCMCA Letter of Immunity signed and acknowledged by MSG (b)(6)(b)(7)(C) 26 Nov 12.
- 80. AIR of SA (b)(6)(b)(7)(C) 21 Dec 12.
- 81. AIR of SA (b)(6)(b)(7)(C) 12 Feb 13.
- 82. Unsigned GCMCA Letter of Immunity of SSG (b)(6)(b)(7)(C)
- 83. AIR of SA (b)(6)(b)(7)(C) 2 Mar 13.
- 84. [REDACTED]
- 85. AIR of SA (b)(6)(b)(7)(C) 29 Apr 13.
- 86. AIR of SA (b)(6)(b)(7)(C) 30 May 13.
- 87. [REDACTED]
- 88. AIR of SA (b)(6)(b)(7)(C) 29 Jul 13.
- 89. AIR of SA (b)(6)(b)(7)(C) 21 Aug 13.
- 90. AIR of SA (b)(6)(b)(7)(C) 28 Oct 13.
- 91. AIR of SA (b)(6)(b)(7)(C) 18 Nov 13.
- 92. Verizon Cell Phone Records of CPT GOLSTEYN.

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Termination (Chap 3, AR 25-55)

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93. USASFC SJA Legal Opinion Memorandum, 12 Nov 13.

94. Criminal History Record Information AIR of CPT GOLSTEYN, 11 Nov 11. (Action CDR, Trial Counsel, USACRC, and File Copies Only)

95. Criminal History Record Information AIR of MSG (b)(6)(b)(7)(C) 11 Nov 11. (Action CDR, Trial Counsel, USACRC, and File Copies Only)

96. Criminal History Record Information AIR of SSG (b)(6)(b)(7)(C) 11 Nov 11. (Action CDR, Trial Counsel, USACRC, and File Copies Only)

97. Account Disclosure Record, CIDR 118-E-R (USACIDC and File Copies Only)

NOT ATTACHED: None.

The originals of Exhibits 1,4,10-19,21-36, 38, 39, 42, 43, 47-73, 75-78, 80, 81, 83, 85, 86, 88-91 and 94-97 are attached to the USACRC copy of this report. The originals of Exhibits 2, 3, and 5-7 are retained in the files of Human Resources Command, 1600 Spearhead Division Avenue, Fort Knox, KY 40122. The originals of Exhibit 8 are retained in the files of the Armed Forces Institute of Pathology, 14th Street and Alaska Avenue Northwest, Building 54, Washington, D.C. 20306. The originals of Exhibit 9 are retained in the files of the 3rd Special Forces Group, Yادkin Road and Desert Storm Drive, Fort Bragg, NC 28310. The originals of Exhibits 20, 40, 41, and 44-46 are retained in the files of the Naval Criminal Investigative Services (NCIS) Southwest Field Office, 800 Seal Beach Boulevard, Seal Beach, CA 90740. The original of Exhibit 37 is retained in the records of SFC (b)(6)(b)(7)(C) 1st Battalion, 3rd Special Forces Group, Fort Bragg, NC 28310. The originals of Exhibit 74 is retained in the files of the Plano Police Department, 909 14th Street, Plano, TX 75074. The originals of Exhibits 79, 82, and 93 are retained in the files of the United States Army Special Forces Command, Office of the Staff Judge Advocate, Fort Bragg, NC 28310. The originals of Exhibits 84 and 87 are retained in the files of [REDACTED]. The originals of Exhibit 92 are retained in the files of the Subpoena Compliance Team, Verizon Wireless, Parsippany, NJ.

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

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

**Law Enforcement Sensitive**

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

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

Special Agent in Charge

## FILE



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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

CID Regulation 195-1

Contents cannot be released outside law enforcement or Dept of the Army  
channels without the approval of the Commander, USACIDC

PAGE 1 OF 3 PAGE(S)

DETAILS

BASIS FOR INVESTIGATION: About 1419, 3 Oct 11, this office was notified via a RFI (RDF 0074-11-CID001), where it was reported CPT Mathew GOLSTEYN, 3<sup>rd</sup> Special Forces Group, Fort Bragg, NC 28310 (FBNC), allegedly committed war crimes when he shot an unarmed combatant.

About 1245, 14 Oct 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) United States Army Special Operations Command (USASOC), Criminal Investigation Division (CID) Liaison Officer (LNO), FBNC, who provided a copy of CPT GOLSTEYN's Officer Record Brief (ORB) and Officer Evaluation Reports (OER). CPT GOLSTEYN's ORB revealed he is enlisted in the military indefinitely and he was assigned to B Company, 1<sup>st</sup> Battalion, 3<sup>rd</sup> Special Forces Group, FBNC, in Feb 10.

About 0900, 20 Oct 11, SA (b)(6)(b)(7)(C) coordinated with Mrs. (b)(6)(b)(7)(C)

CPT GOLSTEYN began to admit several possible violations. CPT GOLSTEYN related he violated General Order number one when he and his team would occasionally drink Johnny Walker while deployed. CPT GOLSTEYN did not provide the month or year he drank alcohol while deployed or whom he drank with. CPT GOLSTEYN related he has several items of military issued equipment that he did not intend to return because the items were not on any property books.

CPT GOLSTEYN related he had made several contacts while deployed, but never shared information that was not authorized. CPT GOLSTEYN related he and one of the interpreters (NFI) became close friends throughout the deployment and the interpreter was scheduled to visit the United States, CPT GOLSTEYN and his family. CPT GOLSTEYN related the interpreter had an approved visa to travel stateside, but since he recently married and had a child; the interpreter is waiting for his child and wife's visa to be approved before they travel. CPT GOLSTEYN related not all contacts were friendly.

CPT GOLSTEYN did not provide any details to why he felt this way. CPT GOLSTEYN related he did a questionable act while deployed to Afghanistan in Feb 10, but was not outside the scope of his duties. CPT GOLSTEYN related during a fire fight in a village (NFI), known for Taliban activity, a Remote Controlled Improvised Explosive Device (RCIED), detonated and killed two of his Marines while it injured another. CPT GOLSTEYN related he and his units began to clear homes in the village, and push the Taliban from their respective fighting positions. CPT GOLSTEYN related in one of the homes they found the components on the RCIED. CPT GOLSTEYN related

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE (b)(6)(b)(7)(C)

DATE

20 Oct 11

EXHIBIT

1

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

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PAGE 2 OF 3 PAGE(S)

DETAILS

the components of a RCIED are very specific and assemble process required a lot of skill. CPT GOLSTEYN related they captured who they believed was the owner of the components, in the residence and transported him back to Thunderdump Base Camp, Afghanistan, which were only minutes away. CPT GOLSTEYN related he had an undocumented source also known as a "walk-in" named (b) (6), (b) (7)(C) Mr. (b) (6), (b) (7)(C) was also the newly designated tribal leader because the previous tribal leader was recently killed. CPT GOLSTEYN related all Mr. (b) (6), (b) (7)(C) wanted in return for the information provided to CPT GOLSTEYN, was additional security for the village from the Taliban. CPT GOLSTEYN related he did what he could to ensure the village was safe. CPT GOLSTEYN related when the unknown combatant arrived at Thunderdump Base Camp, Afghanistan, he instilled a plan to utilize Human Intelligence (HUMINT) to have the combatant identified. CPT GOLSTEYN related Mr. (b) (6), (b) (7)(C) identified that combatant as (b) (6), (b) (7)(C) (NFI). CPT GOLSTEYN related Mr. (b) (6), (b) (7)(C) informed him (b) (6), (b) (7)(C) was from Uruzgan, Afghanistan and was known for fighting alongside the Taliban. CPT GOLSTEYN related he failed to get Mr. (b) (6), (b) (7)(C) out of the area before (b) (6), (b) (7)(C) recognized him. CPT GOLSTEYN related since (b) (6), (b) (7)(C) identified Mr. (b) (6), (b) (7)(C), Mr. (b) (6), (b) (7)(C) immediately became frightened and stated (b) (6), (b) (7)(C) was going to kill him and his family. CPT GOLSTEYN related he trusted Mr. (b) (6), (b) (7)(C)'s intelligence and had always given him credible information which saved lives and prevented attacks. CPT GOLSTEYN related Mr. (b) (6), (b) (7)(C) was not vetted through means other than when his information was verified through the prevention of attacks. CPT GOLSTEYN related after the interview of (b) (6), (b) (7)(C), he and another Soldier (NFI), took (b) (6), (b) (7)(C) back to his residence and assassinated him. CPT GOLSTEYN related he took only one person with him to limit the amount of people who may get in trouble for the act. CPT GOLSTEYN related he and another Soldier buried (b) (6), (b) (7)(C) in a shallow grave and went back to Thunderdump Base Camp, Afghanistan. CPT GOLSTEYN related after the sun went down he took two other Soldiers back to the grave site and dug up the body of (b) (6), (b) (7)(C). CPT GOLSTEYN related they took the body back to Thunderdump Base Camp at which time they burned the body. CPT GOLSTEYN refused to provide (b) (6), (b) (7)(C) the names of the Soldiers who helped with the assassination and the names of the Soldiers who dug up the body. CPT GOLSTEYN related he killed (b) (6), (b) (7)(C) because he didn't have enough evidence against (b) (6), (b) (7)(C) to have him detained for more than 24 hours. CPT GOLSTEYN related there had been countless times when he detained someone and sent that person to a detention facility only to see that same person shooting at his unit weeks later. CPT GOLSTEYN stated he had no qualms about what he did because he couldn't have lived with himself if (b) (6), (b) (7)(C) would have killed another Soldier or Marine. CPT GOLSTEYN related (b) (6), (b) (7)(C) demonstrated he was a threat to the United States and its mission, but admitted that what he did was an assassination. CPT GOLSTEYN related he could have requested (b) (6), (b) (7)(C) be added to the Joint Target List (JTL), but insisted that would have took too long and (b) (6), (b) (7)(C) would have had the opportunity to kill others (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) CPT GOLSTEYN related he had to make a lot of hard decisions while deployed and that a book written by Bing WEST, illustrated some of his unit's struggles while deployed. CPT GOLSTEYN stated he did not report the killing of (b) (6), (b) (7)(C) and chose to kill him outside the base camp as to not expose anyone else. CPT GOLSTEYN related Mr. (b) (6), (b) (7)(C) was killed by the Taliban weeks later.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

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

DATE

20 Oct 11

EXHIBIT

1

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

*CID Regulation 195-1*

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PAGE 3 OF 3 PAGE(S)

DETAILS

AGENT'S COMMENT: The only book Francis J. "Bing" WEST wrote since Feb 10 was "The Wrong War:  
Grit, Strategy and the Way out of Afhanistan.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGN (b)(6)(b)(7)(C)

DATE

20 Oct 11

EXHIBIT

I

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000036

Exhibit(s) 2 and 3

Page(s) 000037 thru 000039 referred to:

Department of the Army  
U.S. Army Human Resources Command  
ATTN: AHRC - FOIA  
1600 Spearhead Division Avenue Dept 103  
Fort Knox, KY 40122-5100

AGENT'S INVESTIGATION REPORT

0906-11-CID023-43647

CID Regulation 195-1

PAGE 1 OF 3 PAGES

DETAILS:

About 1145, 10 Nov 11, this office received documentation for CPT GOLSTEYN, too include, Recommendation for Award, narrative, and copy of Silver Star Award for CPT GOLSTEYN.

AGENT'S COMMENTS: During an administrative review of documentation it was identified CPT GOLSTEYN was part of ODA 3121 and the recommendation was given by SSG (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) Medical Sergeant, ODA 3121, Special Operations Task Force (SOTF) South, APO AE 09380.

About 1215, 10 Nov 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) at Fort Bragg CID Office to discuss investigation. SA (b)(6)(b)(7)(C) provided SA (b)(6)(b)(7)(C) documentation detailing Significant Activities (SIGACTS) and Situational Reports (SITREP) pertaining to the mission where the two Marines were killed and three Marines were identified as wounded. All the documentation received by this office is marked "Secret" and will be retained in the safe of the Fort Bragg CID Office SAC.

About 0750, 15 Nov 11, this office received Casualty Status Report of LCPL JOHNSON and SGT MCQUEARY from Dr. (LTC) (b)(6)(b)(7)(C) Director of Operations, Armed Forces Medical Examiner (AFME), 1413 Research Boulevard, Building 102, Rockville, MD, 20850. The report identified LCPL JOHNSON and SGT MCQUEARY were killed as a result of an IED during dismounted patrol about 1545 (L Time), 18 Feb 10.

AGENT'S COMMENTS: The Casualty Status Report provided further identifying information for LCPL JOHNSON and SGT MCQUEARY, wherein they were assigned to the 2nd Combat Engineer Battalion (CEB), Route Clearance Platoon 3 (RCP3), Marine Expeditionary Brigade Afghanistan (MEB-A), 2nd Marine Division (2d Mar Div), Camp Lejeune, NC.

About 0945, 15 Nov 11, SA (b)(6)(b)(7)(C) coordinated with Ms. (b)(6)(b)(7)(C) NFI, Visa Analyst, US State Department, who related CPT GOLESTYN is unable to sponsor an Afghani National to the United States and the sponsor must be a relative. Ms. (b)(6)(b)(7)(C) advised SA (b)(6)(b)(7)(C) to contact the US Embassy in Afghanistan to obtain further information.

About 1030, 16 Nov 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) SF LNO, who provided this office the Enlisted Record Briefs (ERB) and Non-Commissioned Officer Evaluation Report (NCOER) of seven (7) members of ODA-3121 who supported Operation Moshtarak in Afghanistan:

- \* MSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) W6MT ELE SP, Stuttgart, APO AE 09131
- \* SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 1st Battalion (1st BN), 3rd Special Forces Group (3rd SFG) FBNC
- \* SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 1st BN, 3rd SFG, FBNC

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Bragg CID Office, 8-1221 Randolph Street  
Fort Bragg, NC 28310-8310

SIGNATURE

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

DATE

21 Nov 11

EXHIBIT

4

CID Form 54



AGENT'S INVESTIGATION REPORT

0906-11-CID023-43647

CID Regulation 195-1

PAGE 2 OF 3 PAGES

DETAILS:

\* SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 1st BN, 3rd SFG, FBNC  
\* SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 1st BN, 3rd SFG, FBNC  
\* SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 1st BN, 3rd SFG, FBNC  
\* SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 1st BN, 3rd SFG, FBNC

Additionally, SA (b)(6)(b)(7)(C) provided this office the DD Form 214 (Certificate of Release or Discharge from Active Duty) and NCOER's of the following ODA-3121 members who are now End Time of Service (ETS):

\* SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Army Reserve, 517 North Graham Street, Unit 1C, Charlotte, NC 28202  
\* SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Army Reserve, 15 Elk Ridge Lane, Southern Pines, NC 28387  
\* SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Army Reserve, (Home of Record: (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) (No DEIDS found on SFC (b)(6)(b)(7)(C)

In addition, SA (b)(6)(b)(7)(C) provided the following information:

\* Area orientation graphic map of Afghanistan and locations of Marjah District in Helmand Province and Tarin Kowt District in Uruzgan Province.

\* ODA-3121 consisted of nine (9) SF Soldiers, 55 Marines, 8 Army Attachments, and 300 Afghan Soldiers working in the Battle Space.

\* Graphic illustrations of battle CPT GOLSTEYN fought in where he received the Silver Star and a photograph of the individuals who fought with ODA-3121.

SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) coordinated to correspond together via SIPR with SA (b)(6)(b)(7)(C) Kandahar CID Office, KAF.

About 1330, 16 Nov 11, SA (b)(6)(b)(7)(C) coordinated with Mr. (b)(6)(b)(7)(C) Manpower Individual Augmentees, Marine Command, Quantico, VA, who advised this office contact the Marine Force Augmentation Office and 2nd CEB at Camp Lejeune, NC, for specific information of Marines attached to the ODA-3121 element.

About 1100, 18 Nov 11, SA (b)(6)(b)(7)(C) received satellite imagery from SSG (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) War fighter Support Directory, Fort Belvoir, VA 22060 (FBVA), which depicted the three grid coordinates identified on the SIGACT for the reported Small Arms Fire (SAF) and IED

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Bragg CID Office, 8-1221 Randolph Street  
Fort Bragg, NC 28310-8310

SIGNATURE

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

DATE

21 Nov 11

EXHIBIT

4

CID Form 34

AGENT'S INVESTIGATION REPORT

0906-11-CID023-43647

CID Regulation 195-1

PAGE 3 OF 3 PAGES

DETAILS

attacks. The imagery map was vague and contained no investigative support for identifying location purposes.

About 0815, 21 Nov 11, this office received email from SA (b)(6)(b)(7)(C) KAF, wherein he identified all individuals transported in CASEVAC on 18 Feb 10. The injured Marines are unspecified as of yet, but the individuals below were in the transport:

- \* SGT (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) 3rd Marine Detachment, Marine Corps Base Kaneohe Bay, HI 96863
- \* SFC (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) 8th Engineer Support BN, Camp Lejeune, NC 27007
- \* SGT (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) 2nd CEB, Camp Lejeune, NC 27012
- \* SGT (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) Individual Mobilization Augmentee, New Orleans, LA 70002.

About 1110, 21 Nov 11, Mr. (b)(6)(b)(7)(C) CIC, this office, provided the Regional Organized Crime Information Center (ROCIC) checks of the SF members of ODA-3121, wherein no derogatory information was found.

About 1600, 21 Nov 11, this office received the Final Information Report, Case # 0223-11-CID369, from the Bagram CID Office, Bagram Airfield, Afghanistan, APO AE 09354, wherein nothing of evidentiary value was obtained.///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Bragg CID Office, 8-1221 Randolph Street  
Fort Bragg, NC 28310-8310

SIG (b)(6)(b)(7)(C)

DATE  
21 Nov 11

EXHIBIT

4

Exhibit(s) 5 thru 7

Page(s) 000043 thru 000050 referred to:

Department of the Army  
U.S. Army Human Resources Command  
ATTN: AHRC - FOIA  
1600 Spearhead Division Avenue Dept 103  
Fort Knox, KY 40122-5100

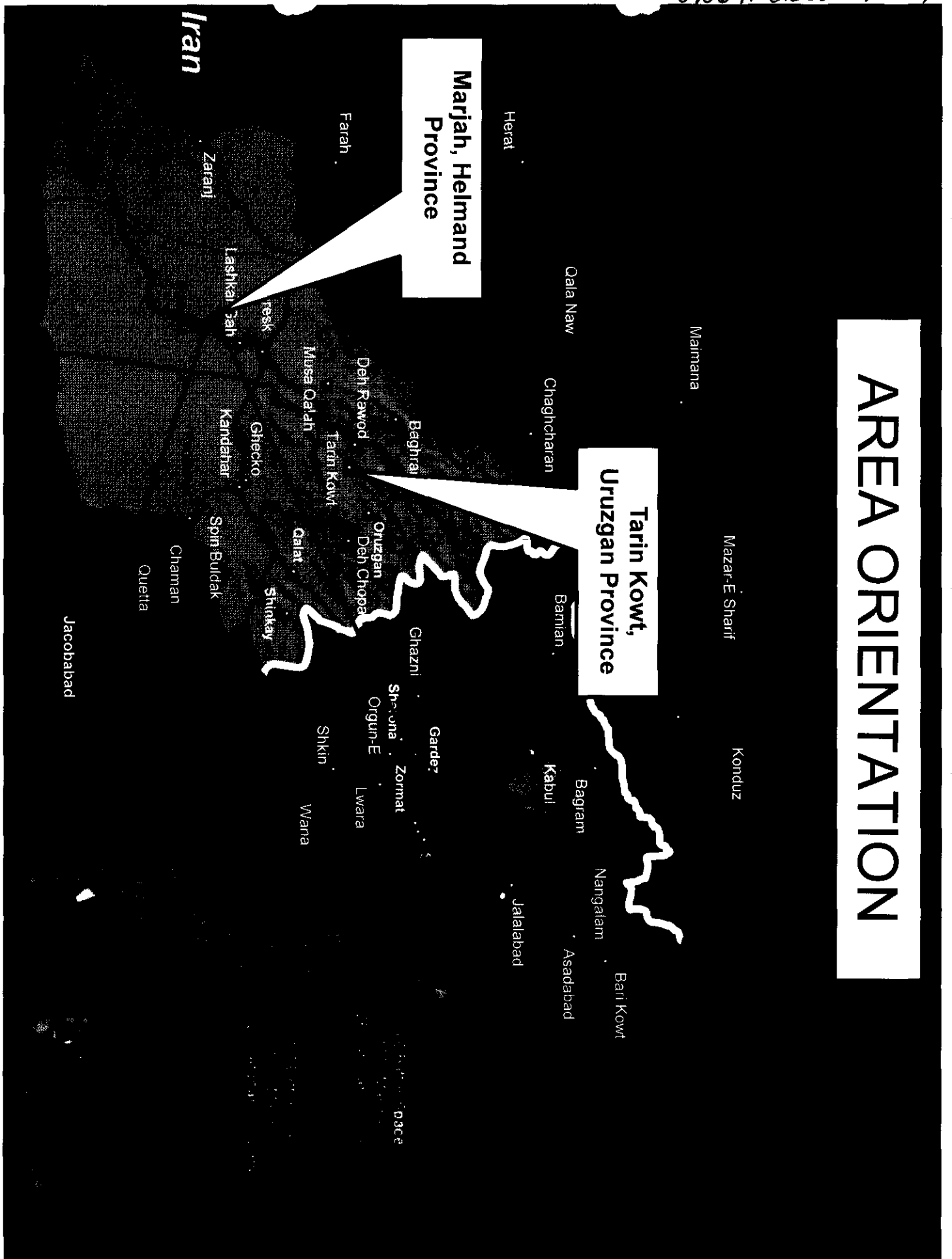
Exhibit(s) 8

Page(s) 000051 thru 000052 referred to:

U.S. Army Medical Department  
Freedom of Information/Privacy Act Office  
ATTN: MCFP  
2050 Worth Road, Suite 21  
Fort Sam Houston, TX 78234-6021



# AREA ORIENTATION



Route Hippo

Forward Operating Base  
McQuarry

Route Lions

Route Kangaroo

Route Frog

Forward Operating  
Base McQueary



Point of View: 900m

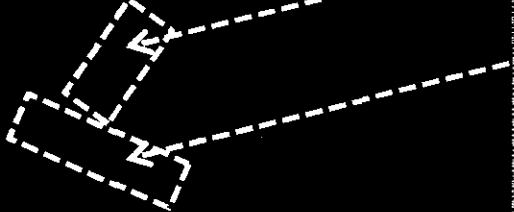
Expected Friendly  
Avenue of Approach

ENEMY POSITIONS

Route Lions

Sniper Team

Improvised Explosive  
Devices (IEDs)

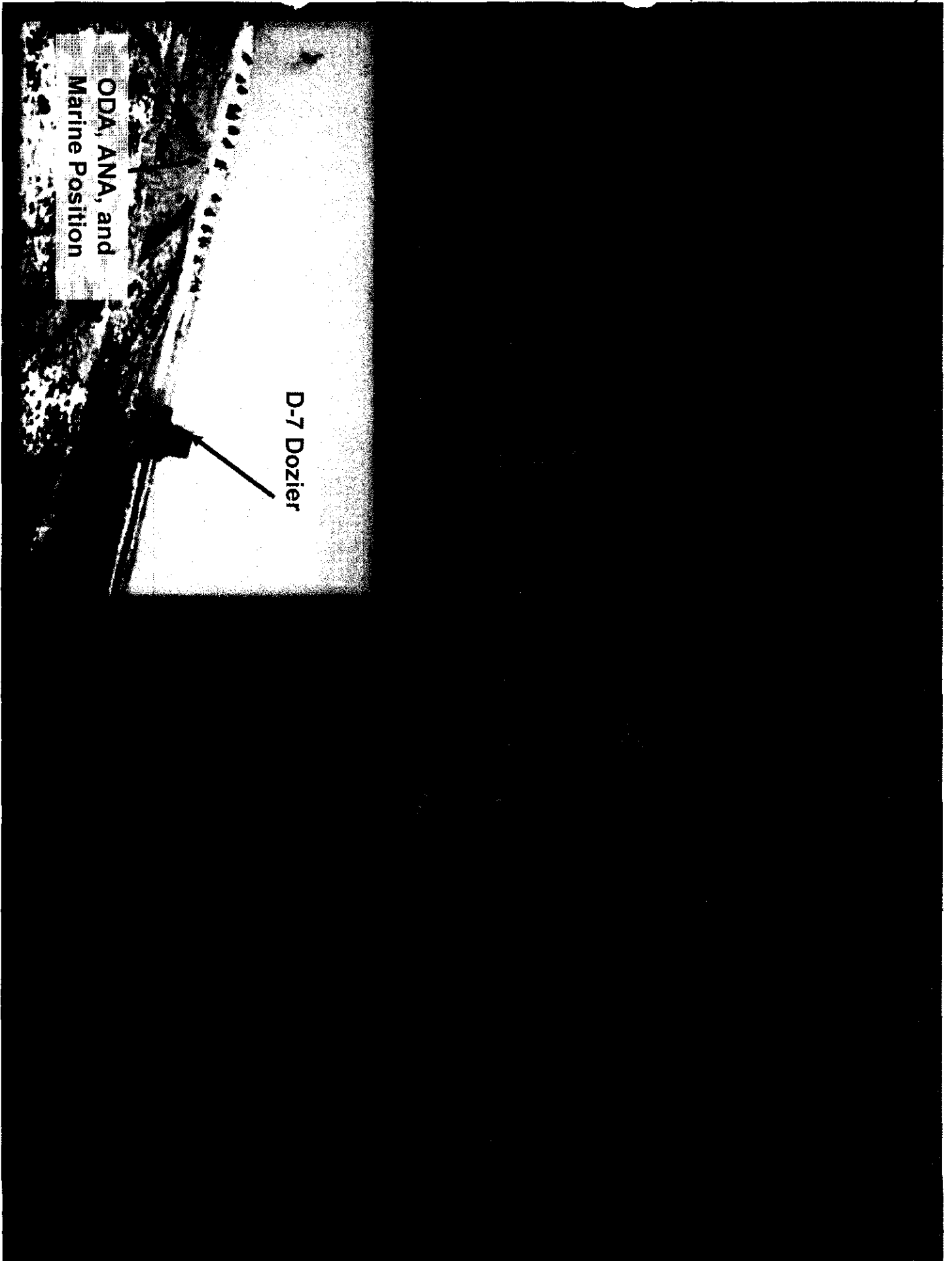


Route Kangaroo

View of enemy positions from the crow's  
nest of FOB McQueary

Sniper Team

ENEMY POSITION





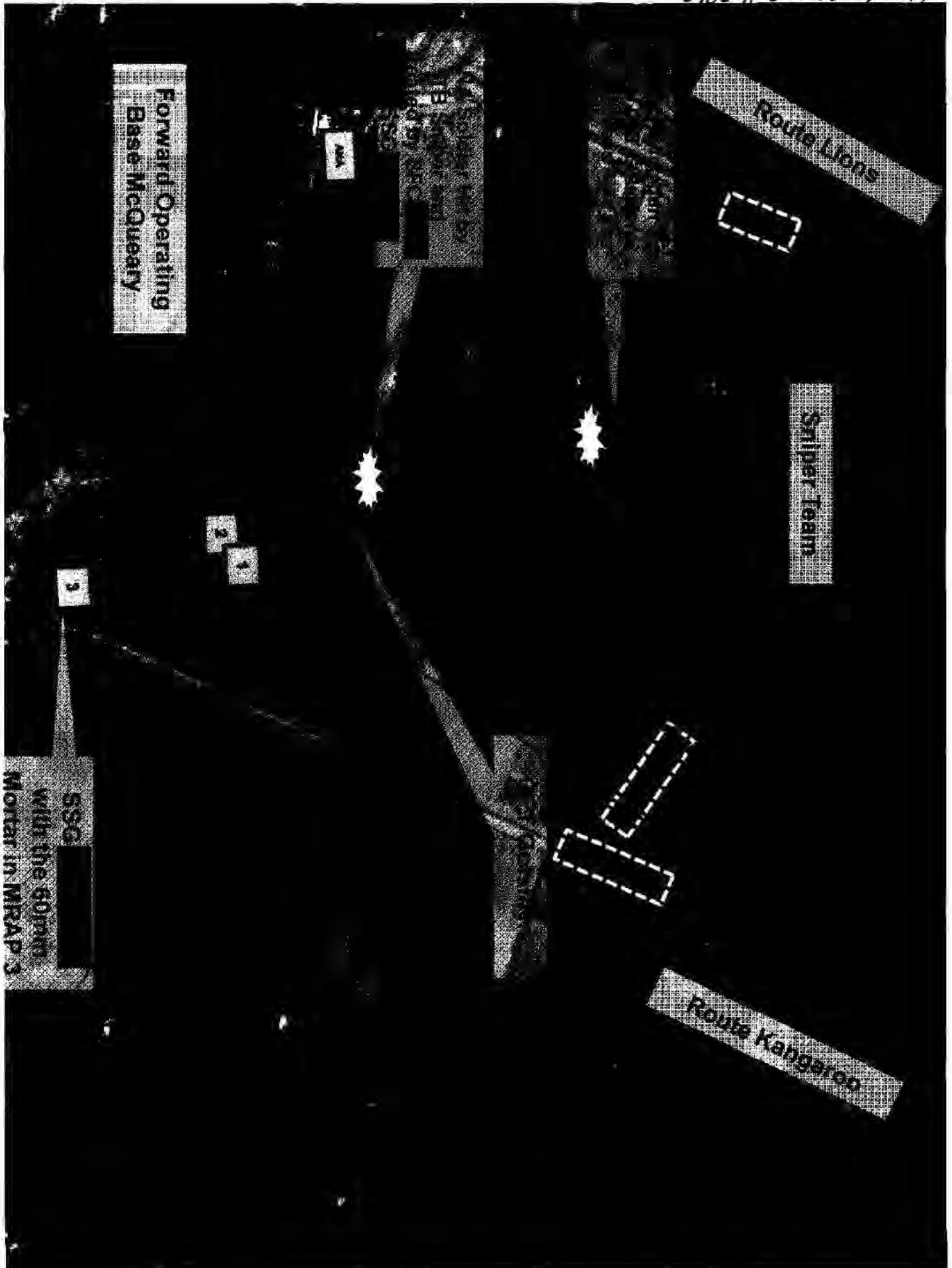
Forward Operating  
Base McQueary

Route Lions

Sniper Team

MIRAP 2 becomes  
stuck and  
requires recovery

Route Kangaroo



Forward Operating  
Base McQuary

Route Lions

Sniper Team

Route Kangaroo

Forward Operating  
Base McQuarry

TEYN

3

1

2

Helicopter on  
Enemy

Beute Kangaroo





# AGENT'S INVESTIGATION REPORT

ROI NUMBER:

0223-11-CID369-

CID Regulation 195-1

PAGE 1 OF 1 PAGE

## DETAILS:

**BASIS FOR INVESTIGATION:** About 1106, 22 Oct 11, this office received a Request for Assistance (RFA) from Fort Bragg CID Office, 10<sup>th</sup> Military Police Battalion (CID) (ABN), 8-1221 Randolph Street, Fort Bragg, North Carolina 28310-5001 to coordinate with the Combined Joint Special Operations Task Force (CJSOTF), Bagram Airfield APO AE 09354, (BAF) to obtain Situation Reports (SITREPS) and Significant Activities (SIGACTS) pertaining to the case 0906-11-CID023-43647.

About 1340, 27 Oct 11, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) this office, coordinated with MAJ (b)(6)(b)(7)(C) SJA, CJSOTF, NFI, and requested the SITREPS, SIGACTS and documents pertaining to the death of two United States Marines. MAJ (b)(6)(b)(7)(C) stated that the time frame of the requested SITREPS and SIGACTS were to large and reports not within the investigative purview of CID would not be disclosed. Since there is no need to know, the other information of the SITREPS and SIGACTS would not be released. MAJ (b)(6)(b)(7)(C) stated that unless more information was disclosed, it would be unlikely any of the reports would be released.

About 1508, 28 Oct 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) Fort Bragg Office, Fort Bragg, NC, that a meeting with MAJ (b)(6)(b)(7)(C) was conducted and additional information would be needed to complete their RFA.

About 1130, 29 Oct 11, SA (b)(6)(b)(7)(C) coordinated with SFC (b)(6)(b)(7)(C) to receive a Memorandum in reference for the RFA to obtain specific dates during the month of February 2010. (See Memorandum)

About 1144, 31 Oct 11, SA (b)(6)(b)(7)(C) contacted via telephone MAJ (b)(6)(b)(7)(C) which she stated the request was sent to her higher command, COL (b)(6)(b)(7)(C) CJSOTF, NFI and General (b)(6)(b)(7)(C) CJSOTF, NFI, for further approval to release information stated in the memorandum. MAJ (b)(6)(b)(7)(C) also states during the month of Feb. 2010, that no United States Marines operated out of the Helmand Province area during that time frame and there was only one United States Marine that was a casualty but that was at the end of the month and not within the date requested.

About 2030, 8 Nov 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) to send information requested through SIPR. The information was sent via SIPR to SA (b)(6)(b)(7)(C) Fort Bragg Office, Fort Bragg, NC, to rely to SA (b)(6)(b)(7)(C)

About 1700, 11 Nov 11, SA (b)(6)(b)(7)(C) coordinated with LCDR (b)(6)(b)(7)(C) SJA, United States Navy, CFSOCC-A, for request of SITREPS and SIGACTS.

About 1858, 21 Nov 11, SA (b)(6)(b)(7)(C) was notified by SA (b)(6)(b)(7)(C) via email to close the RFA that was requested from the Fort Bragg CID Office. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

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

ORGANIZATION:

Bagram CID Office  
Bagram Airfield, Afghanistan APO AE 09354

SIGNA

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

DATE:

21 Nov 11

EXHIBIT:

10

CID FORM 94

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000061



AGENT'S INVESTIGATION REPORT

0906-11-CID023-43647

CID Regulation 195-1

PAGE 1 OF 3 PAGES

DETAILS:

About 1635, 22 Nov 11, SA (b)(6)(b)(7)(C) was contacted by SA (b)(6)(b)(7)(C) NCIS, Miramar, CA, who advised he would be conducting interview of MAJ (b)(6)(b)(7)(C). SA (b)(6)(b)(7)(C) stated he would utilize his resources to ensure MAJ (b)(6)(b)(7)(C) was still in the local area and would keep this office notified of developments. SA (b)(6)(b)(7)(C) advised SA (b)(6)(b)(7)(C) to conduct the interview upon notification by this office to do so after the subject interview of CPT GOLSTEYN.

AGENT'S COMMENTS: SA (b)(6)(b)(7)(C) provided his case number # 22NOV11-MWMM-0108-7HMA.

About 1035, 23 Nov 11, SA (b)(6)(b)(7)(C) coordinated with CW2 (b)(6)(b)(7)(C) SGT (b)(6)(b)(7)(C) and SSG (b)(6)(b)(7)(C) all assigned to B Company, Brigade (BDE) S-2 Annex, 3rd BDE Combat Team (BCT), who conducted imagery analysis and identified three SIGACT locations and FOB MCQUEARY. Additionally, they provided the 2nd Marine Expeditionary Brigade (MEB) SITREP from Camp Leatherneck, Afghanistan, which depicts unit movements and SIGACTS.

AGENT'S COMMENTS: All imagery analysis and SITREP were burned to disc, marked with "Secret" and placed into SAC (b)(6)(b)(7)(C) safe.

About 1015, 28 Nov 11, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) conducted briefing to SF CMD, too include:

Group Commander- COL (b)(6)(b)(7)(C)

Outgoing XO- LTC (b)(6)(b)(7)(C)

Incoming XO- LTC (b)(6)(b)(7)(C)

Group CSM- (b)(6)(b)(7)(C) 910) 261-5888

SJA- CPT (b)(6)(b)(7)(C) CELLULAR) \* (910) 432-6202 (OFFICE) \* Email:

(b)(6)(b)(7)(C)@ahqp.soc.mil

SJA- CPT (b)(6)(b)(7)(C) (CELLULAR) \* Email: (b)(6)(b)(7)(C)@ahqb.soc.mil

AGENT'S COMMENTS: CSM (b)(6)(b)(7)(C) related some of the soldiers were currently deployed or on leave and may not be in the immediate area. CSM (b)(6)(b)(7)(C) would identify the soldiers available for interview on 29 Nov 11 and would contact SA (b)(6)(b)(7)(C) with the appropriate information.

LTC (b)(6)(b)(7)(C) advised CPT GOLSTEYN was in the area and would be at the CID Office at 0830, 29 Nov 11, with MAJ (b)(6)(b)(7)(C) NFI) as his escort.

About 1220, 28 Nov 11, SA (b)(6)(b)(7)(C) contacted Ms (b)(6)(b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Bragg CID Office, 8-1221 Randolph Street  
Fort Bragg, NC 28310-8310

SIGN

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

DATE

1 Dec 11

EXHIBIT

11



AGENT'S INVESTIGATION REPORT

0906-11-CID023-43647

CID Regulation 195-1

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DETAILS:

About 0902, 29 Nov 11, SA (b)(6)(b)(7)(C) advised MAJ GOLSTEYN of his legal rights, wherein he invoked and requested legal counsel. MAJ GOLSTEYN was released on a DD Form 2708 (Receipt for Inmate or Detained Person) to MAJ (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) B Company, 2nd Battalion, 3rd Special Forces Group.

AGENT'S COMMENTS: While obtaining biographical information from MAJ GOLSTEYN, he smiled and stated "I want to go ahead and invoke my rights and get a lawyer." The interview was recorded with audio and video and added to a compact disc (CD).

About 0908, 29 Nov 11, SA (b)(6)(b)(7)(C) his office, advised SFC (b)(6)(b)(7)(C) of his rights, who provided a written statement wherein he denied he had any knowledge concerning the death of a captured enemy combatant. Further, SFC (b)(6)(b)(7)(C) produced a rough sketch depicting the location of FOB THUNDERDOME, Afghanistan. (See Waiver Certificate, Statement, and Sketch for details)

AGENT'S COMMENTS: About 1130, 29 Nov 11, SA (b)(6)(b)(7)(C) released SFC (b)(6)(b)(7)(C) to CPT (b)(6)(b)(7)(C) in a DA Form 2708 and also provided CPT (b)(6)(b)(7)(C) with a HR MFR to provide to the commander of SFC (b)(6)(b)(7)(C)

About 1011, 29 Nov 11, SA (b)(6)(b)(7)(C) this office, advised SSG (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) 1/3 Special Forces Group, FBNC, of his rights, who waived and provided a written statement detailing his knowledge of the firefight which occurred in Feb 10 where two or three Marines attached to his unit were killed. SSG (b)(6)(b)(7)(C) stated he interviewed a suspected builder of Improvised Explosive Devices (IED's) sometime after the firefight but stated he was unable to obtain any information because the individual refused to speak to him. SSG (b)(6)(b)(7)(C) stated he was instructed to release the suspected IED builder and stated he walked him to the main gate of FOB MCQUEARY and instructed him to walk away and not to come back. SSG (b)(6)(b)(7)(C) stated he did not see the IED builder after he was released. (See Waiver Certificate and Sworn Statement for details)

AGENTS COMMENT: During the interview SSG (b)(6)(b)(7)(C) provided a sketch of the firefight and FOB MCQUEARY which were added to the notes section of this case file.

About 1140, 29 Nov 11, SA (b)(6)(b)(7)(C) advised SFC (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) Special Warfare Education Group (SWEG), FBNC, of his legal rights, which he waived and related he joined the ODA-3121 team in the beginning of March 2010. SFC (b)(6)(b)(7)(C) stated he was working a detail in Kabul and joined the team at Thunderdump Base Camp, where he was tasked to maintain security

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Bragg CID Office, 8-1221 Randolph Street  
Fort Bragg, NC 28310-8310

SIG

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

DATE

1 Dec 11

EXHIBIT

11



AGENT'S INVESTIGATION REPORT

0906-11-CID023-43647

CID Regulation 195-1

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DETAILS:

aspects with the Marine elements. SFC (b)(6)(b)(7)(C) stated he was not trusted with information within the team, because he was previously a soldier within the Military Police and due to his religious beliefs.

AGENT'S COMMENTS: SFC (b)(6)(b)(7)(C) provided a hand-drawn sketch of Thunderdome Base Camp (FOB MCQUEARY), wherein he depicted Thunderdome as a building utilized for the ODA headquarters and a burn pit located on the FOB.

About 1000, 30 Nov 11, this office received email from the Schofield Barracks CID Office, Schofield Barracks, HI 96857, which contained copies of the Final Information Report, CID Case #0460-11-108, CID Form 44 and Sworn Statement of PO2 (b)(6)(b)(7)(C) by the Schofield Barracks CID Office, wherein PO2 (b)(6)(b)(7)(C) stated he was injured during an unrelated IED attack in the Marjah District and was transported via CASEVAC to Camp Bastion, Afghanistan. PO2 (b)(6)(b)(7)(C) further related he had never met or worked with members of the ODA-3121 team and had no knowledge of incidents reported within this investigation. (See Sworn Statement for details)

About 1400, 30 Nov 11, SA (b)(6)(b)(7)(C) interviewed MAJ (b)(6)(b)(7)(C) Joint Special Operations Command (JSOC), FBNC, wherein he related he drafted and submitted MAJ GOLSTEYN's OER for August 2010, based on OER Support Form provided by MAJ (b)(6)(b)(7)(C) (NFI). MAJ (b)(6)(b)(7)(C) stated MAJ (b)(6)(b)(7)(C) was the overall CDR for MAJ GOLSTEYN's ODA team and two other teams in Helmand Province. MAJ (b)(6)(b)(7)(C) further related he had no knowledge of negligent or criminal activity conducted by ODA-3121, but advised MAJ GOLSTEYN was Type-A personality and could be very aggressive at times.

About 1110, 1 Dec 11, SA (b)(6)(b)(7)(C) contacted Mr. (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) who was the journalist attached to ODA-3121 during February 2010 in Marjah District and wrote a book describing some of the incidents which occurred during the specified timeframe. Mr. (b)(6)(b)(7)(C) advised SA (b)(6)(b)(7)(C) that as a journalist with First Amendment Rights, he would not speak to law enforcement unless he received a subpoena. Mr. (b)(6)(b)(7)(C) further stated "I loved those guys" and had never seen inappropriate actions by anyone while serving with the team and would testify as defense if a trial occurred.

///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Bragg CID Office, 8-1221 Randolph Street  
Fort Bragg, NC 28310-8310

SIGN

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

DATE

1 Dec 11

EXHIBIT

11

CID Form 94

FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE

000064



## FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE

## RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

## DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

1. LOCATION Fort Bragg CID Office	2. DATE 29 Nov 11	3. TIME 0902	4. FILE NO 0906-11-CID023-43647
5. NAME (Last, First, MI) GOLSTEYN, Matthew L.	8. ORGANIZATION OR ADDRESS 2 <sup>nd</sup> Battalion, B COMPANY		
6. SSN XXX-XX-XXXX	7. GRADE/STATUS CPT/AD MAJ		
Special Forces Group 3 <sup>rd</sup> SPECIAL FORCES GRAD			
Fort Bragg, NC 28310			

## PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

## Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command (CID) as a Special Agent and wanted to question me about the following offense(s) of which I am suspect: Murder, Conspiracy///

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights.

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

## Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

## WITNESSES (if available)

1a. NAME (Type of Print)

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type of Print)

b. ORGANIZATION OR ADDRESS AND PHONE

## 3. SIGNATURE OF INTERVIEWEE

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

5. SA (b)(6)(b)(7)(C), (b)(7)(E)

6. ORGANIZATION OF INVESTIGATOR  
Fort Bragg CID Office  
Fort Bragg, NC 28310

## Section C. Non-waiver

1. I do not want to give up my rights:

☒ I want a lawyer (b)(6)(b)(7)(C)
 ☐ I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

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

ATTACH TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

**PART II - RIGHTS WARNING PROCEDURE****THE WARNING****1. WARNING - Inform the suspect/accused of:**

- a. Your official position
- b. Nature of offense(s).
- c. The fact that he/she is a suspect/accused.

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both"

- or -

*(For civilians not subject to the UCMJ)* You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

**2. RIGHTS - Advise the suspect/accused of his/her rights as follows:**

"Before I ask you any questions, you must understand your rights."

- a. "You do not have to answer my questions or say anything."
- b. "Anything you say or do can be used as evidence against you in a criminal trial."
- c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

**THE WAIVER**

"Do you understand your rights?"

(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Do you want a lawyer at this time?"

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"Have you ever requested a lawyer after being read your rights?"

(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e. fewer than 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" *(If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)*

**SPECIAL INSTRUCTIONS****WHEN THE SUSPECT/ACCUSED REFUSES TO SIGN THE WAIVER**

**CERTIFICATE:** If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

**IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY:**

In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogations, completion may be temporarily postponed. Notes should be kept on the circumstances.

**NOTE:** If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

**PRIOR INCRIMINATING STATEMENTS:**

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

**WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS:** If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

**COMMENTS (Continued)**

## Exhibit 13

Page(s) 000067 withheld.

5 U.S.C. § 552(b)(6), (b)(7)(C)  
Third Party Information

## FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE

## RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

## DATA REQUIRED BY THE PRIVACY ACT

## AUTHORITY:

Title 10, United States Code, Section 3012(g)

## PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately identified.

## ROUTINE USES:

Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.

## DISCLOSURE:

Disclosure of your Social Security Number is voluntary.

## 1. LOCATION

Fort Bragg CID Office

## 2. DATE

29 Nov 11

## 3. TIME

0908

## 4. FILE NO

0906-11-CID023-43647

## 5. NAME (Last, First, MI)

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

## 8. ORGANIZATION OR ADDRESS

3<sup>rd</sup> Battalion

## 6. SSN

XXX-XX (b)(6)(b)(7)(C)

## 7. GRADE/STATUS

SFC/AD

1<sup>st</sup> Special Forces Group

Fort Bragg, NC 28310

## PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

## Section A. Rights

The Investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command (CID) as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Conspiracy, Misprison of Serious Offense//

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights. I do not have to answer any questions or say anything.

Anything I say or do can be used as evidence against me in a criminal trial.

For personnel subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

## 5. COMMENTS (Continue on reverse side)

HAVE YOU BEEN ADVISED IN THE LAST THIRTY DAYS? NO (b)(6)(b)(7)(C)

## Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

## WITNESSES (if available)

## 1a. NAME (Type of Print)

## b. ORGANIZATION OR ADDRESS AND PHONE

## 2a. NAME (Type of Print)

## b. ORGANIZATION OR ADDRESS AND PHONE

## 3. SIGNATURE OF INTERVIEWEE

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

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

## 5. TYPED NAME OF INVESTIGATOR

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

## 6. ORGANIZATION OF INVESTIGATOR

Fort Bragg CID Office  
Fort Bragg, NC 28310

## Section C. Non-waiver

## 1. I do not want to give up my rights:

☐ I want a lawyer.☐ I do not want to be questioned or say anything.

## 2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED



47987-270013-21-9060

**SWORN STATEMENT**

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately retrieved.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURES:** Disclosure of your social security number is voluntary. (b)(6)(b)(7)(C)

LOCATION Fort Bragg CID Office, Fort Bragg, NC 28310	DATE 29 Nov 11	TIME 11:19	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME SFC (b)(6)(b)(7)(C)	SOCIAL SECURITY NUMBER XXX-X (b)(6)(b)(7)(C)	GRADE/STATUS SFC/RA	
ORGANIZATION OR ADDRESS B Company, 1 <sup>st</sup> Battalion, 3 <sup>rd</sup> Special Forces Group, Fort Bragg, NC 28310			

(b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

We deployed Jan 2010. We were first located in Tarowkow, Kwot, Afghanistan, than we were there for a day or two than we got remission to go down to Marja in the Helmand province. When we got there we were given part of the Marja offensive from the Marines. About late Feb or early Mar we invaded the city. From there it was gun fights everyday for about two or three weeks straight. After about the third week of fighting we were able to use combat air support and everything cooled down once we got their support. Than from there we did patrolling everyday kinda of presence patrols for the month or two we were there. We went back to Kwot for two or three weeks and got remission again. We were sent back to Marja to do village stability operations. We were there for another a month and a half two months and worked to get the locals to build their own police force. It didn't pan out we kinda burnt our bridges the first time we left. We re-deployed around the end of July 10 (b)(6)(b)(7)(C)

Q. SA (b)(6)(b)(7)(C)

A. SFC (b)(6)(b)(7)(C)

Q. What unit were you assigned to during this deployment?

A. B Company, 1<sup>st</sup> Battalion, 3<sup>rd</sup> Special Forces Group, Fort Bragg, NC

Q. What was the name of the FOB you were located at?

A. FOB MCQUERY.

Q. What was the reason for the "Burnt Bridges" when you left the first time?

A. The locals were upset because we came in did their protection and when we left they were upset. They were happy once we came back.

Q. Can you identify all members of your unit during the deployment?

A. MAJ GOLSTYEN, MSG (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C)

Q. Can you identify any attached personnel to your unit?

A. (b)(6)(b)(7)(C) Dog Handler) (b)(6)(b)(7)(C) Dog handler), CPT (b)(6)(b)(7)(C) Marine JTAC) (b)(6)(b)(7)(C) (All Marine JTACS).

Q. Were there any other attachments to include Civil Affairs, Psyops?

A. We had Civil Affairs and Psyop guys but I can't remember any of their names.

Q. What was your chain of command?

A. It was MSG (b)(6)(b)(7)(C) than MAJ GOLSTYEN. Everybody kinda fell under MSG (b)(6)(b)(7)(C)

Q. How many missions per week would you conduct?

A. We would do at least two or three missions a day.

Q. What was the normal break down of personnel on those missions?

A. Usually Me, (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) on one team and I was in charge of a company of Afghans. The other team was made up of everyone else (b)(6)(b)(7)(C) and Team had their own job kinda putting together the police force in the city.

Q. At the conclusion of the missions who did the team report to and who sent the report higher?

A. We would usually brief (b)(6)(b)(7)(C) and GOLSTYEN would send it up in a SITREP each day.



STATEMENT OF SFC (b)(6)(b)(7)(C)  
9. STATEMENT (Continued)

TAKEN AT Fort Bragg CID Office, NC

DATED 29 Nov 11

Q. Do you recall the names of your interpreters?

A. I had a interpreter named (b)(6)(b)(7)(C) am not sure of all their names. Some of them came with us from Tarowkow and some were interpreters that worked for the Marines (b)(6)(b)(7)(C) worked for me for a while and then I found out the Afghan Commander that worked for me spoke English so I didn't need the interpreter.

Q. Do you recall any of the main local nationals to include Sheiks you worked with?

A. I remembered there was one guy I worked with trying to get the police force going. He was a former Mujhaden guy but I don't recall his name.

Q. Who or what unit conducted your combat air support for you?

A. I have no idea.

Q. On the 18<sup>th</sup> of Feb 10, what time did missions?

A. I say around 0800 or 0900.

Q. Do you recall what missions were being ran that day?

A. They were clearing a Bazaar to our West.

Q. Do you recall all personnel on that mission?

A. (b)(6)(b)(7)(C) team and some Marine EOD and route clearance personnel.

Q. Do you recall the specific mission?

A. I wasn't there I stayed back and pulled security at the sniper position on the FOB; however, I believe they were clearing the Bazaar and the clearing the actual Bazaar.

Q. What happened that day?

A. From what I was told they cleared out the Bazaar. Somehow Marine EOD found out a door to a shop was Booby trapped. I am not sure who opened the door or how they knew it was booby trapped but someone opened the door and the booby trap detonated. I believe that blast is what killed the marines. They called in a medical support and continued to clear the Bazaar. I just remembered them coming back it was after dark. I helped get food and water and setting the trucks up for the next day missions.

Q. Do you recall what information was put out or briefed when the Soldiers returned from the mission?

A. No, just that the Marines had died and the few wounded that there were.

Q. Do you recall if there were any enemy KIA or captured?

A. Not that I know of.

Q. Were there any firefights during the clearance of the Bazaar?

A. Yea there was a big gunfight. I am pretty sure everybody fired their weapon during the fight.

Q. Do you recall what village the Bazaar was located?

A. It was two or three kilometers west of where our building was.

Q. At any point after the unit returned on 18 Feb 10 did they conduct any additional missions that evening or early morning on 19 Feb 10?

A. Not that I know of no.

Q. Do you recall the name (b)(6), (b)(7)(C)

A. No.

Q. How often was the burn pit used on the FOB?

A. Probably every day. There were 8 team guys and thirty marines.

Q. What times would you normally use the burn pit?

A. It was smoldering most of the day every day.

Q. Would it be out of the ordinary for the burn pit to be used at late hours or early morning hours?

A. No.

Q. Was it possible for someone to kill someone and burn them on the FOB at night?

A. Yea I guess, most of our missions were conducted during the day because the Afghans don't have night vision, so at night most of the guys are sleeping.

STATEMENT OF SFC (b)(6)(b)(7)(C)  
9. STATEMENT (Continued)

TAKEN AT Fort Bragg CID Office, NC

DATED 29 Nov 11

Q. How many people were pulling security at night?

A. Usually one guy in the tower at the center of the compound. One guy on the radio, and a few Marines were pulling security out where they were.

Q. Were there any instances where your FOB was attacked?

A. Yea, we were shot at almost every day especially, when we first arrived.

Q. Do you have any information concerning the death of an Afghan man named (b)(6), (b)(7)(C)

A. No.

Q. Do you have any information of the burial of a man named (b)(6), (b)(7)(C)

A. No.

Q. At any point did anyone from your chain of command or unit ask you not to discuss the details of this investigation to include information concerning the death of (b)(6), (b)(7)(C) or instruct you to not disclose the same information?

A. No.

Q. Do you recall who pulled security the night of 18 Feb 10 leading to 19 Feb 10?

A. No idea.

Q. How often would your unit capture enemy personnel?

A. Not very often, most time we would talk to the locals. I can only think of one time we picked up a couple of guys we suspected them of being snipers and they got released a couple of days later.

Q. Do you recall when that was you captured the three snipers?

A. It was about Mar or Apr 10.

Q. Who would normal conduct the questioning of your detainees?

A. I guess (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) our Intel guys would.

Q. During your time in the area did you have an idea of who the enemy were you were fighting to include faces or names?

A. No. Our engagements were 4 to 5 hundred meters away.

Q. Did you have any issues of capturing the same enemy over and over again?

A. No.

Q. Did your unit ever conduct any missions that were geared toward capturing or killing enemy personnel?

A. No.

Q. What was your relationship to MAJ GOLSTYEN?

A. He was my team leader. We were friends and would go and get a beer every once in a while.

Q. How long have you known him?

A. Summer 08 I believe he got to the team.

Q. Have you ever observed any unprofessional behavior or the part of MAJ GOLSTYEN?

A. Never.

Q. Where do you believe the accusation of killing a local national would come from involving MAJ GOLSTYEN?

A. I have no idea.

Q. Are you aware of any mental problems concerning MAJ GOLSTYEN?

A. No.

Q. Have you seen or known it to be common practice to embellish stories from deployments amongst members of your team or unit?

A. No.

Q. Do you recall what soldiers picked up the captured snipers?

A. No, I don't.

Q. Where did your unit keep the detainees housed?

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

STATEMENT OF SFC (b)(6)(b)(7)(C)

TAKEN AT Fort Bragg CID Office, NC

DATED 29 Nov 11

9. STATEMENT (Continued)

A. The detainees were kept at the Afghan National Army base across the street from ours.

Q. How long were the detainees held?

A. About two to three days.

Q. Who was responsible for maintaining the burn pit?

A. No, one.

Q: Do you have anything else you wish to add to your statement?

A: No.///End Statement/(b)(6)(b)(7)(C)

AFFIDAVIT

I, SFC (b)(6)(b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of November, 2011 at

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

(Signature of Person Administering Oath)

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

(Type Name of Person Administering Oath)

10 USC 936

(Authority To Administer)



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

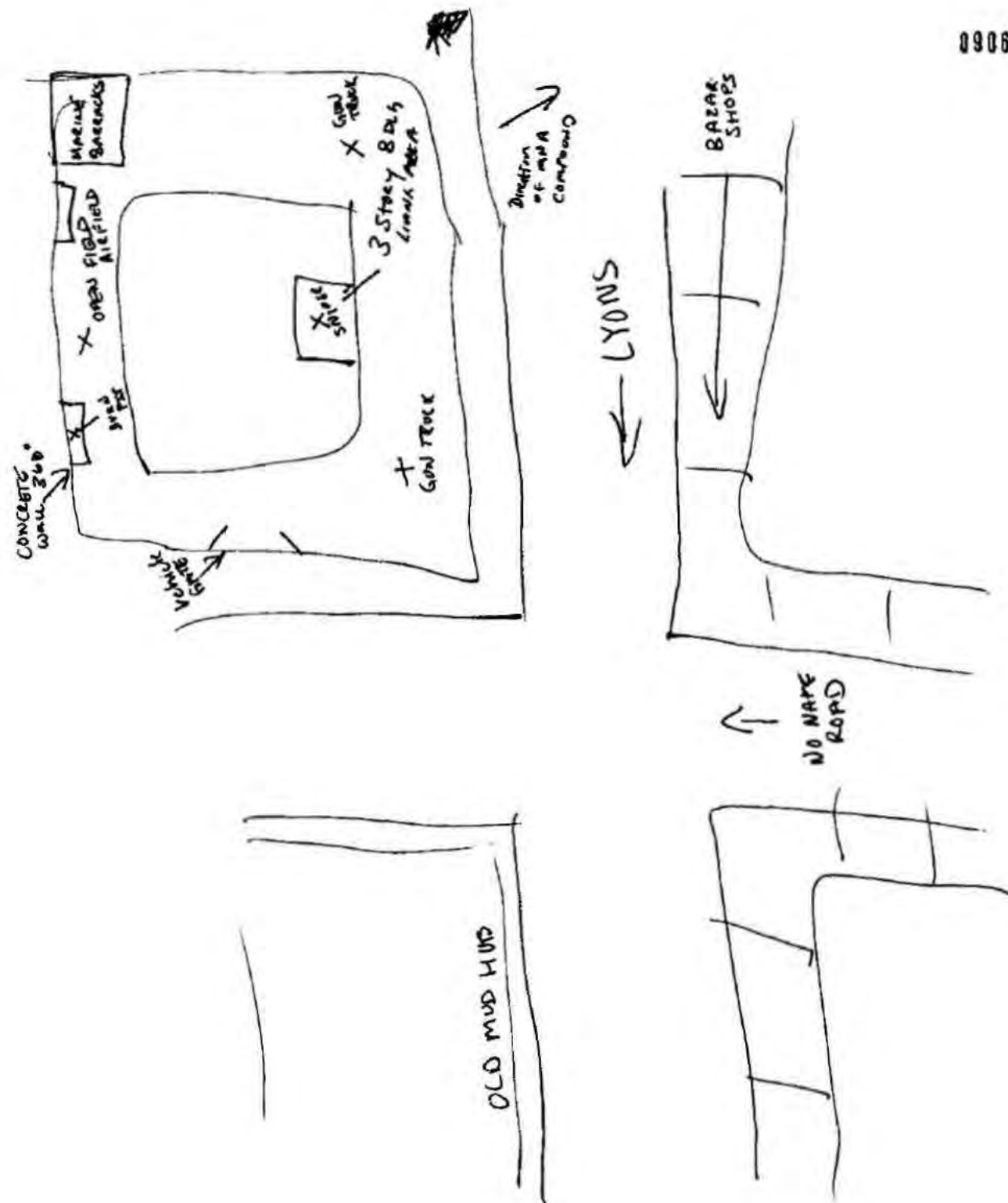
WITNESSED BY  
29 NOV 11 / 1003

Nov 11 1003 (b)(6)(b)(7)(C) (b)(6)(b)(7)(C)

SKETCHED BY (b)(6)(b)(7)  
DATE/TIME 29 NOV 11 1003

000073

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Exhibit 15

## RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

## DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

1. LOCATION Fort Bragg CID Office	2. DATE 29 Nov 11	3. TIME 10:11	4. FILE NO 0906-11-CID023-43647
5. NAME (Last, First, MI) (b)(6)(b)(7)(C)	8. ORGANIZATION OR ADDRESS 3 <sup>rd</sup> Battalion 1 <sup>st</sup> Special Forces Group Fort Bragg, NC 28310		
6. SSN XXX-XX (b)(6)(b)(7)(C)	7. GRADE/STATUS SSG/AD		

## PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

## Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command (CID) as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Conspiracy, Misprison of Serious Offense//

(b)(6)(b)(7)(C) he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights.

(b)(6)(b)(7)(C) do not have to answer any questions or say anything.

(b)(6)(b)(7)(C) anything I say or do can be used as evidence against me in a criminal trial.

(b)(6)(b)(7)(C) (personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

(b)(6)(b)(7)(C) I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

## Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)

1a. NAME (Type of Print)

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type of Print)

b. ORGANIZATION OR ADDRESS AND PHONE

6. ORGANIZATION OF INVESTIGATOR  
Fort Bragg CID Office  
Fort Bragg, NC 28310

## Section C. Non-waiver

1. I do not want to give up my rights:

☐ I want a lawyer.☐ I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Fort Bragg CID Office, Fort Bragg, NC	DATE 29/11/2011	TIME 1422	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)(b)(7)(C)	SOCIAL SECURITY NUMBER XXX-XX-(b)(6)(b)(7)(C)	GRADE/STATUS EL/DA	
ORGANIZATION OR ADDRESS 1/3 Special Forces Group (A), Fort Bragg, NC 28310 (b)(6)(b)(7)(C)			
<p>(b)(6)(b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>I'm not sure what the date was but we left Thunderdome in the morning, headed west towards an intersection that we hadn't cleared. As we approached the intersection from the south east we noticed a Taliban flag hanging from the ICRC clinic. As we approached the intersection, we began receiving heavy machine gun fire from the west and North West. We came up with a plan where we were sending SSG (b)(6)(b)(7)(C) around to approach from the East. At the same time we called for support from a Marine unit to our south. As well as an ANA unit. (b)(6)(b)(7)(C) got into position and began to push west. The Taliban started retreating to the north. While that was going on (b)(6)(b)(7)(C) myself and (b)(6)(b)(7)(C) pushed to the bazaar to set up security and begin clearing. The Marine unit from the south came in to support and assisted in clearing the bazaar area. (b)(6)(b)(7)(C) asked for someone to go assist (b)(6)(b)(7)(C) volunteered along with a Marine to move to (b)(6)(b)(7)(C) position. Once leaving (b)(6)(b)(7)(C) position myself and the Marine (b)(6)(b)(7)(C) ran through a mine field to (b)(6)(b)(7)(C) position. Once we arrived at (b)(6)(b)(7)(C) position, (b)(6)(b)(7)(C) told us to continue to clear to the North. I guess (b)(6)(b)(7)(C) and I moved North and we were in pretty consistent engagements with the Taliban until we got about 400 meters from (b)(6)(b)(7)(C) position. Once (b)(6)(b)(7)(C) and I were in position (b)(6)(b)(7)(C) told (b)(6)(b)(7)(C) and I to set up security while they cleared the Bazaar. While at our security positions we heard a large explosion coming from the bazaar. (b)(6)(b)(7)(C) got on the radio and asked (b)(6)(b)(7)(C) if he needed us to come back. (b)(6)(b)(7)(C) said No to stay in your security positions, they would handle the MEDEVAC. Maybe about an hour or two later, I'm not sure how long (b)(6)(b)(7)(C) called us and told us to come back to the Bazaar. We returned to the bazaar and he briefed us on what had happened. We then established a check point and left a group of ANA to guard it while we returned to Thunderdome. Upon returning to Thunderdome we went to our own areas and decompressed. I watched South Park.</p> <p>Q: SA (b)(6)(b)(7)(C)</p> <p>A: SSG (b)(6)(b)(7)(C)</p> <p>Q: What time of day did this engagement happen?</p> <p>A: I would say noon.</p> <p>Q: When did it end?</p> <p>A: Around Four. That's when the MEDEVAC and everything was done. We were walking back and it wasn't dark yet.</p> <p>Q: Who was present for the engagement?</p> <p>A: Myself (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) I don't remember his last name, he was a mechanic attached to our team. (b)(6)(b)(7)(C) was with (b)(6)(b)(7)(C) and I. A SOT A unit as well as a Marine Unit. Apparently and ABC World News Reporter. I'm sorry, one more guy (b)(6)(b)(7)(C) our JTAC, the Marine CPT.</p> <p>Q: Where did this engagement occur?</p> <p>A: At the ICRC Clinic to the west of Thunderdome.</p> <p>Q: In which part of Afghanistan?</p> <p>A: Southern Marjah, Helmond province.</p> <p>Q: What does ICRC stand for?</p> <p>A: I'm not sure what the IC stands for but it's sponsored by the Red Cross.</p> <p>Q: Where were the others while you were with (b)(6)(b)(7)(C)</p> <p>A: The others were at the bazaar.</p> <p>Q: All of them?</p> <p>A: Yes.</p> <p>Q: When (b)(6)(b)(7)(C) briefed you on what happened what did he tell you?</p> <p>A: Said that an IED went off on the back side of the bazaar. That a Marine unit, I believe part of the Rout Clearance Team, had two locals opening up the Bazaar doors. One of the doors was rigged with explosives which killed the Marines and started the MEDEVAC. That's really about it.</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)	PAGE 1 OF 4 PAGES	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_ TAKEN AT \_\_\_\_ DATED \_\_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE  
INITIALED AS "PAGE \_\_\_\_ OF \_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE  
LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.



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

STATEMENT OF (b)(6)(b)(7)(C)

TAKEN AT Fort Bragg, NC 28310 DATED 29 November 2011 CONTINUED

Q: You stated earlier that sometime after the engagement an IED builder was brought to the Mosque at Thunderdome. Can you elaborate?

A: Yes, I don't remember how long after the engagement it was, someone was picked up on patrol. I was told about him by someone, it could have been CPT GOLDSTYN, that the person was being guarded at the mosque. When I went to meet the person I started out with basic biographical information but he didn't say a single word the entire time he was there. I guess when his time was up, we couldn't keep him any longer I believe CPT GOLDSTYN told me to release him. I walked him out the gate, and told him to walk down the road and not come back.

Q: After he left, did you ever see him again?

A: No. It was never proven that he was an IED builder. I never saw any evidence and he never told me.

Q: How did you speak with him?

A: Through an interpreter. I'm not sure if it was (b)(6)(b)(7)(C) or (b)(6)(b)(7)(C)

Q: Did you get his name?

A: No. He didn't say anything.

Q: What was the standard practice for these interviews?

A: To get biographical information, picture, biometrics and stuff. If we had that option. Then if we suspected them of something we would tailor questions about that. If no information turned up they were released.

Q: How did track the information or record that you got from those you would interview?

A: I would personally take notes and then debrief to our marine intel guy.

Q: Where are those notes retained?

A: They're destroyed. My copy is. I don't know the Marine may have some.

Q: What was the name of the Marine Intel guy?

A: I don't remember.

Q: Were you the only person to conduct interviews?

A: No.

Q: Who else conducted interviews?

A: (b)(6)(b)(7)(C) I actually think CPT GOLDSTYN did some and we were sometimes assisted by (b)(6)(b)(7)(C)

Q: What unit did (b)(6)(b)(7)(C) belong to?

A: He was a tactical Pshyops team leader here at Fort Bragg.

Q: How often were interviews conducted?

A: Every time we were on patrol and when bad guys were brought back to the compound. No regular basis but I'd say every other day.

Q: What did you do with known Taliban members that you were forced to release?

A: We would turn them over to the ANA who would I guess prosecute them the Afghan way. I know one guy was taken out of the city, I'm pretty sure by them.

Q: Was this Standard Operating Procedure?

A: Yes.

Q: Was there a written SOP you followed?

A: Not that I'm aware of. I know CPT GOLDSTYN dealt with that more than I did.

Q: What does ANA stand for?

A: Afghan National Army.

Q: How were the patrols on your team broken down?

A: Split team operations. (b)(6)(b)(7)(C) was a team leader of one and (b)(6)(b)(7)(C) was a team leader of the other. (b)(6)(b)(7)(C) team consisted of myself, (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) team consisted of (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C)

Q: Who were the HUMINT guys?

A: (b)(6)(b)(7)(C) and MYSELF.

Q: Were there any other HUMINT personnel assigned to your unit?

A: Not trained HUMINT but (b)(6)(b)(7)(C) and CPT GOLDSTYN assisted.

Q: Who was CPT GOLDSTYN'S most used HUMINT person?

A: I would say myself, unless on a patrol then it was (b)(6)(b)(7)(C) because I didn't patrol with him.

Q: Were the patrol teams always the same or did they differ?

A: They did differ, especially as time went on.

Q: Can you elaborate on that?

A: As the time went on, as long as the same MOS wasn't on the same patrol the teams broke up.

INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)

PAGE 2 OF 4 PAGES

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Exhibit 16 000076



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

STATEMENT OF (b)(6)(b)(7)(C) TAKEN AT Fort Bragg, NC 28310 DATED 29 November 2011 CONTINUED

Q: What was the standard size of a patrol team?

A: A leader, and at least a commo guy and a medic. There were other guys who assisted I guess but it didn't really matter.

Q: Was there a process for reporting out while on patrol?

A: They did set up check points and everyone knew the plan before a group left.

Q: Was there any radio traffic or a trip sheet or anything?

A: Not with the way we were doing things. It was kind of the wild west out there.

Q: Did two person teams ever patrol?

A: Not without ANA, and it would be a very short distance.

Q: How close was the nearest village to Thunderdome?

A: Right there, 50 meters.

Q: Was there ever a time anyone was brought back to Thunderdome and returned by the same team to the location they were picked up at?

A: Not really. Anytime anyone was brought back they were either released out the front gate or turned over to the ANA.

Q: Can you describe Thunderdome?

A: A three story concrete structure. Multiple rooms, barred windows with blue glass.

Q: Where was it located?

A: Southern Marjah, Helmond Province.

Q: What was the name of the FOB it was on?

A: FOB McQUEARY, that's what it was named later on.

Q: Other than Thunderdome, what else was located on FOB McQUEARY?

A: An HLZ, bathroom, a storage area, some quarters for some worker of the houses owner, I guess. There was also a mosque and an open area, and a burn pit.

Q: How many entrances were there for FOB McQUEARY?

A: Three.

Q: Where were they located?

A: One to the North, the main gate; one to the South, which was a foot trail; and one to the North West, which was a vehicle entrance.

Q: What unit were you assigned to during your time in Afghanistan in 2010?

A: B Co 1/3 SFG.

Q: How long have you been assigned to 1/3 SFG?

A: Almost four years.

Q: How long did you work with CPT GOLDSTYN?

A: For a little over two years.

Q: Who was the village elder who visited Thunderdome?

A: (b)(6)(b)(7)(C)

Q: Was he the only one who visited?

A: I think the night he came he had a friend with him. I'm not sure who he was though.

Q: How often would (b)(6)(b)(7)(C) visit Thunderdome?

A: I remember him only coming one time for dinner but Matt met with him on a regular basis.

Q: Does the name (b)(6)(b)(7)(C) mean anything to you?

A: No, I think I've heard the name before but it's just like (b)(6)(b)(7)(C) or (b)(6)(b)(7)(C) it's a common name.

Q: What about the name (b)(6)(b)(7)(C)?

A: I've never heard that before.

Q: Did I type the above narrative and Question/Answer portion of this statement using your words as you witnessed it?

A: Yes

Q: Do you have anything you would like to add to this statement at this time?

A: No

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

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Exhibit 16 000077

STATEMENT OF  
STATEMENT (Continued)

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

TAKEN AT FT Bragg CID Office

DATED: 29/11/2011

AFFIDAVIT

I, (b)(6)(b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this day of 29th November 2011 at FORT BRAGG CID OFFICE, FORT BRAGG, NC

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

SA (b)(6)(b)(7)(C)  
(Typed Name)

10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 PAGES



## FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE

## RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

## DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

1. LOCATION Fort Bragg CID Office	2. DATE 29 Nov 11	3. TIME 1140	4. FILE NO 0906-11-CID023-43647
5. NAME (Last, First, MI) (b)(6)(b)(7)(C)	8. ORGANIZATION OR ADDRESS 3rd Battalion SWEG 1st Special Forces Group SWCS Fort Bragg, NC 28310		
6. SSN XXX-XX (b)(6)(b)(7)(C)	7. GRADE/STATUS SFC/AD	(b)(6)(b)(7)(C)	

## PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

## Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command (CID) as a Special Agent (b)(6)(b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected: Conspiracy, Misprison of Serious Offense (b)(6)(b)(7)(C)

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

(b)(6)(b)(7)(C) not have to answer any questions or say anything.  
 (b)(6)(b)(7)(C) anything I say or do can be used as evidence against me in a criminal trial.  
 (b)(6)(b)(7)(C) personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

(b)(6)(b)(7)(C) am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

## Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)

1a. NAME (Type of Print)

b. ORGANIZATION OR ADDRESS AND PHONE

2a. NAME (Type of Print)

b. ORGANIZATION OR ADDRESS AND PHONE

3. SIGNATURE OF INTERVIEWEE

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

4. SIGNATURE OF INVESTIGATOR

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

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

6. ORGANIZATION OF INVESTIGATOR  
Fort Bragg CID Office  
Fort Bragg, NC 28310

## Section C. Non-waiver

1. I do not want to give up my rights:

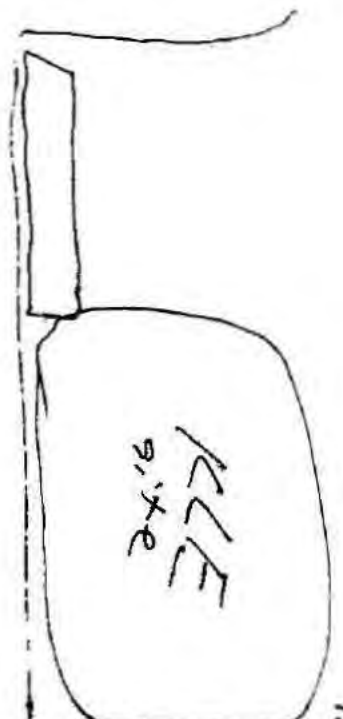
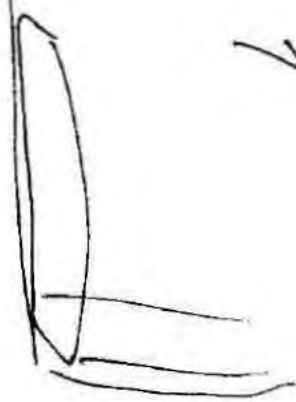
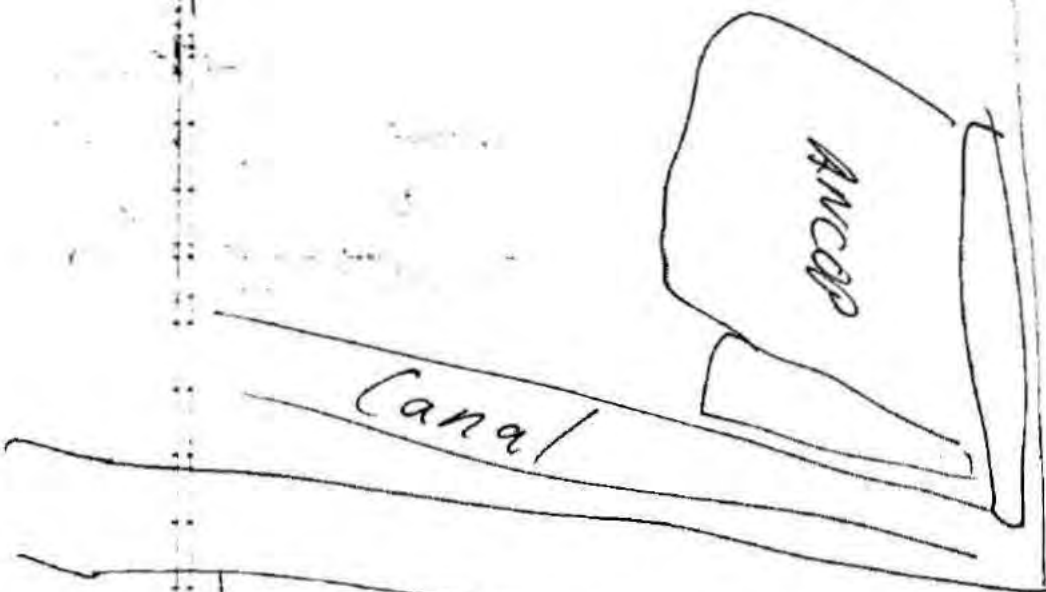
☐ I want a lawyer.☐ I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

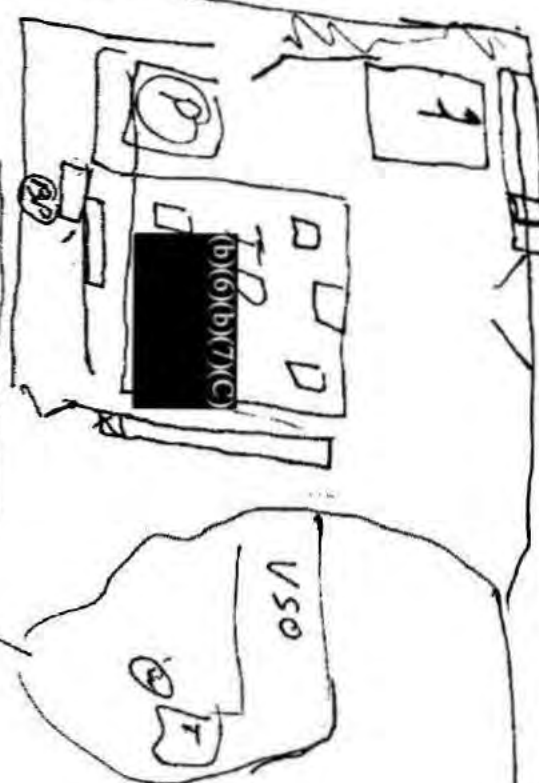
ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

9906-12-C18023-43867  
Not to  
scale

N



12/24/2017  
(b)(6)(b)(7)(C)



ALL  
(b)(6)(b)(7)(C)

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Exhibit 18

000080



AGENT'S INVESTIGATION REPORT

0906-11-CID023-43647

CID Regulation 195-1

PAGE 1 OF 8 PAGES

DETAILS:

About 1700, 4 Dec 11, SA (b)(6)(b)(7)(C) was briefed by SA (b)(6)(b)(7)(C) NCIS, Miramar Naval Air Station (NAS), CA, who related he conducted the witness interview of CPT (b)(6)(b)(7)(C). SA (b)(6)(b)(7)(C) further related CPT (b)(6)(b)(7)(C) stated he was friends with MAJ GOLSTEYN and was with the ODA-3121 down range, but joined the team in the beginning of February 2010 and had not been present on mission which SGT MCQUEARY and LCPL JOHNSON were killed. CPT (b)(6)(b)(7)(C) stated he never witnessed any persons of interest being interrogated by MAJ GOLSTEYN and he had no knowledge of the killing of an unarmed combatant.

About 0545, 5 Dec 11, this office was notified by SA (b)(6)(b)(7)(C) Fort Lewis CID Office, 5647 N. Division Street, Joint Base Lewis-McChord (JBLM), WA 98387, that MAJ (b)(6)(b)(7)(C) is currently forward deployed to an unknown overseas address. SA (b)(6)(b)(7)(C) attempted to reach MAJ (b)(6)(b)(7)(C) via DSN, which met with negative results.

SA (b)(6)(b)(7)(C) provided the following contact information for MAJ (b)(6)(b)(7)(C):  
DSN- 94-700-626-6776  
Email: (b)(6)(b)(7)(C)@isotfp.socpac.socom.mil

About 1230, 5 Dec 11, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) interviewed Mr. (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) who related he joined the ODA-3121 team in the beginning of Feb 10 when he was reassigned from Camp Dwyer, Afghanistan, to FOB MCQUEARY with two additional members of his team, (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) (NFI). Mr. (b)(6)(b)(7)(C) related he and SSG (b)(6)(b)(7)(C) were actively engaged in firefight which occurred on 18 Feb 10, when LCPL JOHNSON and SGT MCQUEARY were killed by an IED. Mr. (b)(6)(b)(7)(C) further related no insurgents or people of interest were captured or questioned to his knowledge, and he had interrogated only one person the entire time he supported the operation. Mr. (b)(6)(b)(7)(C) could not recall the name (b)(6)(b)(7)(C) or (b)(6)(b)(7)(C) but he verified (b)(6)(b)(7)(C) was the interpreter utilized because he was his interpreter and then requested a move to MAJ GOLSTEYN's team. Mr. (b)(6)(b)(7)(C) could not provide his name, but stated he picked up (b)(6)(b)(7)(C) at the Interpreter Agency on Kandahar Air Field, Afghanistan.

About 1540, 5 Dec 11, SA (b)(6)(b)(7)(C) Miramar NCIS, advised SA (b)(6)(b)(7)(C) he would forward the RFA to his Los Angeles NCIS office to conduct interviews of PFC (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) and SGT (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) both assigned as to reserve command of 3D Anglico Marforres.

About 1610, 5 Dec 11, this office received the hard copy narrative of SA (b)(6)(b)(7)(C) of interview of CPT (b)(6)(b)(7)(C) NCIS, wherein CPT (b)(6)(b)(7)(C) stated he joined the ODA-3121 team on 14 Feb 10 and assisted their combat patrols as a JTAC, but was not present during the actions on 18 Feb 10. CPT (b)(6)(b)(7)(C) related he and MAJ GOLSTEYN are still friends and talk once to twice a

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

ORGANIZATION

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DETAILS:

week, but stated MAJ GOLSTEYN never told him of the investigation. CPT (b)(6)(b)(7)(C) stated he had no knowledge of any incidents where MAJ GOLSTEYN or any other member of the team acted inappropriately or violated the Law of War. (See SA (b)(6)(b)(7)(C) AIR for details)

About 0900, 6 Dec 11, SA (b)(6)(b)(7)(C) New Orleans NCIS, advised this office that (b)(6)(b)(7)(C) was attached to the Individual Augmentee Mobilization out of New Orleans for documentational purposes only and actually lives out-of-area. SA (b)(6)(b)(7)(C) spoke to Officer-in-Charge (OIC) COL (b)(6)(b)(7)(C) NFI, who provided phone numbers for (b)(6)(b)(7)(C)

Home: (b)(6)(b)(7)(C)  
Cell: (b)(6)(b)(7)(C)

About 1050, 6 Dec 11, SA (b)(6)(b)(7)(C) conducted a telephonic interview of SGT (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) who related he had been injured due to enemy actions and transported to Role III Hospital, Camp Bastion, Afghanistan on 2 Feb 10. SGT (b)(6)(b)(7)(C) advised a smoke grenade was thrown into his vehicle through the open turret, which cooked off and caused a five gallon container of diesel fuel to explode causing him to lose his hearing and become deafened. SGT (b)(6)(b)(7)(C) stated the incident occurred at Kaneshin Castle, Afghanistan, and he was the only person transported. Additionally, SGT (b)(6)(b)(7)(C) advised he had never heard of FOB MCQUEARY, LCPL JOHNSON, SGT MCQUEARY, or MAJ GOLSTEYN.

About 1400, 6 Dec 11, SA (b)(6)(b)(7)(C) visited the Cumberland County Library, 101 Laketree Boulevard, Spring Lake, NC 28390, to obtain a copy of Bing WEST's book "The Wrong War." SA (b)(6)(b)(7)(C) coordinated with a library employee who checked the Cumberland County Library database to locate the book, wherein it was not present at their location, but a hard-copy could be obtained from the North Carolina State Library, 300 Maiden Lane, Fayetteville, NC 28301. Digital copies of the book are not in stock at any of the Cumberland County Libraries.

About 1630, 6 Dec 11, SA (b)(6)(b)(7)(C) briefed COL (b)(6)(b)(7)(C) Commander, 3rd Special Forces Group, FBNC and CPT (b)(6)(b)(7)(C) Judge Advocate, 3rd SFG, on the status of the investigation. SA (b)(6)(b)(7)(C) informed COL (b)(6)(b)(7)(C) the CID report would be released from distribution restriction.

About 1110, 7 Dec 11, SA (b)(6)(b)(7)(C) coordinated with CW2 (b)(6)(b)(7)(C) B Company, Brigade (BDE) S-2 Annex, 3rd BDE Combat Team (BCT), who related ISR and daily visual depictions for 18-20 Feb 10 met with negative results.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

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About 1300, 7 Dec 11, SA (b)(6)(b)(7)(C) purchased Bing WEST's book, "The Wrong War" from the Barnes and Noble Bookstore, 121 Glensford Road, Fayetteville, NC 28314, for \$25.04 and will be delivered by United Parcel Service (UPS) by Standard Ground shipping.

About 1800, 7 Dec 11, SA (b)(6)(b)(7)(C) briefed COL (b)(6)(b)(7)(C) Chief of Staff, US Army Special Force Command (USASFC), LTC (b)(6)(b)(7)(C) Public Affairs Officer, USASFC, and LTC (b)(6)(b)(7)(C) Judge Advocate, USASFC, on the status of this investigation. SA (b)(6)(b)(7)(C) informed them the CID report would be unrestricted for release.

About 0940, 8 Dec 11, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) his office, interviewed GySgt (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 2nd Explosive Ordnance Disposal (EOD) Company, 8th Engineer Support Battalion, Camp Lejeune, NC 28542, who related he had been a team leader for Marine element identified on 5 Feb 10 to move out from Camp Dwyer, Afghanistan, to Forward Operating Base (FOB) Thunderdome, Afghanistan, to conduct operations in Marjah District. GySgt (b)(6)(b)(7)(C) related he knew MAJ GOLSTEYN and his team members only from recognition from mission support and never spoke with the ODA members. GySgt (b)(6)(b)(7)(C) further related he had been behind the wall of the Bazaar when LCPL JOHNSON and SGT MCQUEARY were killed. GySgt (b)(6)(b)(7)(C) stated two alleged Taliban insurgents were captured at the Bazaar by the ODA team and Afghanistan National Army (ANA) soldiers, and were ordered to open the roll up doors at the Bazaar with SGT MCQUEARY and LCPL JOHNSON due to the high probability of explosive device materials being present. GySgt (b)(6)(b)(7)(C) stated he had been injured during the explosion, when a piece of shrapnel entered his thigh and hit his scrotum, and he had been Medical Evacuation (MEDEVAC, which showed up within five to ten minutes to transport the killed and injured. GySgt (b)(6)(b)(7)(C) related MAJ GOLSTEYN had not been present on the mission and his Marines received their daily briefings and reports from CP (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) 3D Anglico Marforres. GySgt (b)(6)(b)(7)(C) related he had no knowledge of anyone ever being detained or questioned by US Forces besides the two alleged Taliban insurgents killed at Bazaar on 18 Feb 10.

GySgt (b)(6)(b)(7)(C) provided a hand-drawn sketch of Bazaar where explosion occurred which killed LCPL JOHNSON and SGT MCQUEARY.

The interview of GySgt (b)(6)(b)(7)(C) was recorded with video and audio utilizing the system in place at the Camp Lejeune Naval Criminal Investigation Service.

About 1045, 8 Dec 11, SA (b)(6)(b)(7)(C) interviewed SGT (b)(6)(b)(7)(C) XXX-XX- (b)(6)(b)(7)(C) 2nd Combat Engineer Battalion, 2nd Combat Engineer Brigade, Camp Lejeune, NC 28542, who related he had been present on 18 Feb 10 when LCPL JOHNSON and SGT MCQUEARY were killed conducting a search of a local Bazaar in Marjah District. SGT (b)(6)(b)(7)(C) had been employed as the Communication operator and had been injured during the explosion when shrapnel tore apart his

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

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DETAILS:

Achilles heel. SGT (b)(6)(b)(7)(C) related the ANA had captured two alleged Taliban insurgents at the Bazaar for being in possession of explosive materials. SGT (b)(6)(b)(7)(C) related he had been MEDEVAC out of area within ten minutes of explosion and never spoke with the ODA members during the mission or since the incident. SGT (b)(6)(b)(7)(C) further related he had no recollection of anyone being captured or questioned besides the two alleged Taliban at the site of the explosion and stated the burn pit was on Camp Thunderdome and was utilized daily for burning everything from papers, clothing, and cooking chickens and goats.

SGT (b)(6)(b)(7)(C) provided a hand-drawn sketch of the Bazaar where the explosion occurred, which killed LCPL JOHNSON and SGT MCQUEARY.

The interview of SGT (b)(6)(b)(7)(C) was recorded with video and audio utilizing the system in place at the Camp Lejeune Naval Criminal Investigation Service.

About 1245, 8 Dec 11, SA (b)(6)(b)(7)(C) interviewed GySgt (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 2nd Combat Engineer Battalion (CEB), Camp Lejeune, NC 28542, who related he was only aware of one individual who was arrested and questioned after 18 Feb 2010. GySgt (b)(6)(b)(7)(C) related about 23 Feb 2010, IED related materials were found in a pharmacy in Marjeh and the owner of the pharmacy was arrested. GySgt (b)(6)(b)(7)(C) saw MAJ GOLSTEYN question the pharmacy owner and knew members of the ODA had gone to the man's home to look for additional evidence, but had to release him because nothing more was found. GySgt (b)(6)(b)(7)(C) related he believed the pharmacy had been used by the Taliban after the owner had vacated the area during the violence with Coalition Forces. GySgt (b)(6)(b)(7)(C) related most of the credible intelligence MAJ GOLSTEYN received was from a tribal leader named (b)(6)(b)(7)(C) NFI, who was arrested prior to the ODA leaving Marjeh by Task Force 12 (NFI), for supporting the Taliban. GySgt (b)(6)(b)(7)(C) further related he had no knowledge of the individual responsible for the IED on 18 Feb 10, being identified or captured. GySgt (b)(6)(b)(7)(C) provided two hand-drawn sketches which depict the location of the Bazaar and residence of Mr. (b)(6)(b)(7)(C) who was one of the trusted village elders in the area. (See Sketches for Details)

AGENT'S COMMENT:

GySgt (b)(6)(b)(7)(C) related he still kept in frequent contact with MAJ GOLSTEYN, MSC (b)(6)(b)(7)(C) and SFC (b)(6)(b)(7)(C) and considered them to be close friends.

About 1300, 8 Dec 11, SA (b)(6)(b)(7)(C) interviewed CPT (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Mobility Assault Company, 2nd Combat Engineer Battalion, Camp Lejeune, NC 28542, who served as the ground commander for the Marine element designated to depart Camp Dwyer around 8 Feb 10 to conduct operations with ODA-3121. CPT (b)(6)(b)(7)(C) related he worked closely with MAJ GOLSTEYN during day-to-day operations and would attend briefings by team. CPT (b)(6)(b)(7)(C) related he had been on patrol with his Marine element on 18 Feb 10 when they had cleared multiple buildings and roadways of

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

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DETAILS:

Improvised Explosive Devices (IED) emplaced by enemy Taliban insurgents. CPT (b)(6)(b)(7)(C) related the Afghanistan National Army (ANA) and ODA members had captured two potential enemy combatants at a Bazaar for the suspicion of being in possession of bomb making materials. CPT (b)(6)(b)(7)(C) stated he designated LCPL JOHNSON and SGT MCQUEARY to conduct a search for IED making materials with the two enemy combatants in the Bazaar. CPT (b)(6)(b)(7)(C) had been in an adjacent building to Bazaar when the explosion occurred and he saw GySgt (b)(6)(b)(7)(C) and SGT (b)(6)(b)(7)(C) injured in front of him. CPT (b)(6)(b)(7)(C) related the ANA, ODA, and his team conducted site security and coordinated for MEDEVAC for the killed and injured. CPT (b)(6)(b)(7)(C) stated he returned to FOB MCQUEARY with all personnel on mission, wherein he seen MAJ GOLSTEYN pacing. CPT (b)(6)(b)(7)(C) related MAJ GOLSTEYN had been upset about the explosion and advised him that he would "capture whoever did it," and "kill them." CPT (b)(6)(b)(7)(C) related MAJ GOLSTEYN would promise to capture the guy and could not recall for certain if, when, and how often MAJ GOLSTEYN made the comments. CPT (b)(6)(b)(7)(C) related after a short time MAJ GOLSTEYN stopped talking about retaliation and never spoke of the situation again. CPT (b)(6)(b)(7)(C) stated he had no recollection of anyone being captured or questioned by the ODA team and stated the burn pits located on FOB MCQUEARY were used daily for burning and dumping trash.

CPT (b)(6)(b)(7)(C) provided two hand-drawn sketches of FOB MCQUEARY and Bazaar where explosion occurred which killed LCPL JOHNSON and SGT MCQUEARY.

The interview of CPT (b)(6)(b)(7)(C) was recorded with video and audio utilizing the system in place at the Camp Lejeune Naval Criminal Investigation Service.

AGENT'S COMMENTS: CPT (b)(6)(b)(7)(C) advised SA (b)(6)(b)(7)(C) he had been emailed by MAJ GOLSTEYN around Veteran's Day with a motivational speech. CPT (b)(6)(b)(7)(C) stated he would email SA (b)(6)(b)(7)(C) the email from MAJ GOLSTEYN.

About 1520, 8 Dec 11, SA (b)(6)(b)(7)(C) interviewed SGT (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 2nd CEB, Camp Lejeune, NC 28542, who related he was not aware of any individuals captured in connection with the IED on 18 Feb 2010. SGT (b)(6)(b)(7)(C) believed MAJ GOLSTEYN felt responsible for the Marines who were killed and injured during combat operations. SGT (b)(6)(b)(7)(C) related he was close friends with SGT MCQUERRY and was certain he would have been told if the individual responsible for the IED had been identified. (See Video and Sketches for Details)

About 1600, 8 Dec 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) NCIS, Camp Lejeune, NC, who utilized the Consolidated Law Enforcement Operations Center (CLEO) check to obtain names, rank, and social security numbers of additional Marines stationed at FOB MCQUEARY with 2nd CEB:

- SGT (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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SIGN (b)(6)(b)(7)(C)

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DETAILS:

- SGT (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C)  
- LCPL (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C)  
- SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C)  
- LCPL (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C)  
- SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C)  
- SGT (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C)  
- SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C)

CPT (b)(6)(b)(7)(C) related the above named Marines were with the team, but had no interaction with the ODA or ANA soldiers.

About 2100, 8 Dec 11, SA (b)(6)(b)(7)(C) was notified telephonically and via email by Mr. (b)(6)(b)(7)(C) Fitzpatrick, Hagood Smith, and Uhl, 2515 McKinney Avenue, Suite 1400, Dallas, TX 75201, that he had been retained by SSG (b)(6)(b)(7)(C) for legal representation and no further contact was permitted by this office with SSG (b)(6)(b)(7)(C).

AGENT'S COMMENTS: SA (b)(6)(b)(7)(C) briefed Mr. (b)(6)(b)(7)(C) that SSG (b)(6)(b)(7)(C) was being interviewed as a witness and only for operational purposes.

About 0800, 9 Dec 11, this office received the Final Information Report, Case # 0090-11-CID277, from SA (b)(6)(b)(7)(C) Stuttgart CID Office, Stuttgart, Germany, APO AE 09128, which contained SA (b)(6)(b)(7)(C) Agent Investigation Report, Rights Waiver Certificate and Interview Worksheet of MSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Special Operations Command, Africa Command (AFRICOM), Stuttgart, Germany, APO AE 09128.

AGENT'S COMMENTS: SA (b)(6)(b)(7)(C) was notified by SA (b)(6)(b)(7)(C) that when he re-approached MSG (b)(6)(b)(7)(C) for interview, he advised he had obtained legal counsel and would no longer assist the investigation.

About 1300, 9 Dec 11, SA (b)(6)(b)(7)(C) was contacted by (b)(6)(b)(7)(C) NFI, Subpoena Compliance Team Representative, Google Incorporated, who related a Federal SW would be necessary to obtain all information requested by this office. (b)(6)(b)(7)(C) NFI further related he would be able to pull emails which have been sent and received, but the deleted messages would only be retroactive to three weeks prior.

About 1500, 9 Dec 11, SA (b)(6)(b)(7)(C) was notified by LT (b)(6)(b)(7)(C) Cumberland County Sheriff's Office (CCSO), that since the offense occurred overseas, this office would need to conduct a SW through Federal Court. LT (b)(6)(b)(7)(C) advised his office would assist in serving the SW and conducting search, but would be unable to assist with the SW any further.

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

ORGANIZATION

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

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DETAILS:

About 1530, 9 Dec 11, this office received the Final Information Report, Case #0460-11-CID108, from Schofield Barracks CID Office, 1314 Lyman Road, Building 3026, Schofield Barracks, HI 96857, which contained SA (b)(6)(b)(7)(C) Agent Investigation Report, Sworn Statement, and Interview Worksheet (CID Form 44) of HM2 (b)(6)(b)(7)(C) 1/3 Charlie Company, 3rd Marine Division, Kaneohe Bay, HI. (See AIR and Sworn Statement for details)

About 0800, 12 Dec 11, SA (b)(6)(b)(7)(C) contacted SA (b)(6)(b)(7)(C) Federal Bureau of Investigation (FBI), Fayetteville Field Office, to request assistance in obtaining Federal Search Warrants for MAJ GOLSTEYN's residence, Google email account, and Verizon Wireless account.

SA (b)(6)(b)(7)(C) briefed SA (b)(6)(b)(7)(C) and SAC (b)(6)(b)(7)(C) that the Assistant United States Attorney (AUSA) related further investigative activity would need to be conducted to corroborate the interview confession by MAJ GOLSTEYN.

About 1215, 12 Dec 11, this office received email from SA (b)(6)(b)(7)(C) KAF CID Office, who related multiple burn pit locations in and around FOB MCQUEARY were located and excavation and forensic examination was completed of all, which met with negative results. SA (b)(6)(b)(7)(C) related no remnants of clothing or bones were found to confirm the burning of human remains. SA (b)(6)(b)(7)(C) further related he could not conduct meeting with local village elders due to Marine elements currently on-ground are redeploying and coordination will need to be established with incoming command to schedule meeting.

About 1245, 13 Dec 11, this office received the Final Information Report, Case Number #1096-11-CID016 from SA (b)(6)(b)(7)(C) 44th Military Police Detachment (CID), Joint Base Lewis-McChord, WA 98433, which contained the AIR of SA (b)(6)(b)(7)(C)

About 1525, 13 Dec 11, SA (b)(6)(b)(7)(C) briefed CPT (b)(6)(b)(7)(C) SJA, 3rd SFG, on all investigative activity conducted and on results of excavation of burn pits in FOB MCQUEARY. SA (b)(6)(b)(7)(C) asked CPT (b)(6)(b)(7)(C) if he had any questions, wherein CPT (b)(6)(b)(7)(C) stated he had no further questions or concerns. SA (b)(6)(b)(7)(C) requested CPT (b)(6)(b)(7)(C) keep all information briefed close-hold for investigative purposes.

About 0730, 16 Dec 11, this office received the Final Information Report, Case #0072-11-CID359, from the Kabul CID Office, Camp Phoenix, Afghanistan, APO AE 09320, which contained the sworn statements of SFC (b)(6)(b)(7)(C) and SFC (b)(6)(b)(7)(C) AIR of SA (b)(6)(b)(7)(C) CID Form 44, and a picture of MAJ GOLSTEYN's interpreter, (b)(6)(b)(7)(C) provided by SFC (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) and SFC (b)(6)(b)(7)(C) both related they had no knowledge of misconduct issues with MAJ GOLSTEYN, interrogations of alleged insurgents, or deaths of Taliban insurgents. SFC (b)(6)(b)(7)(C) and SFC (b)(6)(b)(7)(C) related MAJ GOLSTEYN was an outstanding leader and he would have been

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ORGANIZATION

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

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DETAILS:

unable to conduct the actions of killing an insurgent and burning his body on the installation without the rest of the team being notified.

About 1030, 16 Dec 11, this office received the book, "The Wrong War," by Bing WEST from Barnes and Noble.com, 1 Barnes and Noble Way, Monroe Township, NJ 08831.

///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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SIGN

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

DATE

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Subject:

Co-Subjects:

Victims:

Incident:

I//MCAS MIRAMAR CA/INVESTIGATIVE ASSISTANCE TO US ARMY CID - FT BRAGG, NC

1. On 04Dec11, Reporting Agent and Participating Agent interviewed Maj (b)(6)(b)(7)(C) USMCR, (b)(6)(b)(7)(C) Third Anglico, Marine Forces Reserves (MARFORRES), pertaining to his knowledge and relationship with Maj Matthew L GOLDSTEYN, USA Special Operations Command. (b)(6)(b)(7)(C) stated he deployed to Afghanistan (AF) with the Marine Corps on November 2009 through May 2010. (b)(6)(b)(7)(C) related he met GOLDSTEYN on 14Feb10 when he was assigned to Operational Detachment Alpha 3121 (ODA-3121) in Marjah, AF. (b)(6)(b)(7)(C) disclosed he did not know GOLDSTEYN prior to being assigned to ODA-3121. (b)(6)(b)(7)(C) stated he remembered the events on the day Sgt Jeremy R MCQUEARY, USMC; and LCpl Larry M JOHNSON, USMC, both of Second Engineer Battalion were killed in action. (b)(6)(b)(7)(C) related he was not present in the field with with GOLDSTEYN or the Marines due to being assigned to the Command Operations Center (COC) aboard Thunderdome Base Camp. (b)(6)(b)(7)(C) further declared the operation was a daytime operation and to his knowledge no insurgents or detainees were detained or apprehended that day. (b)(6)(b)(7)(C) disclosed his objective with ODA-3121 was to provide fire support aspect and did not have any purview to any records to any detainees. (b)(6)(b)(7)(C) stated he was completely excluded from any insurgents or detainees being brought back for questioning. (b)(6)(b)(7)(C) related his Marines and he were present with ODA-3121 during patrols as fire support, but anything after that such as questioning of detainees he was excluded from. (b)(6)(b)(7)(C) stated ODA-121 was made up of GOLDSTEYN's team which included himself, a total of nine Americans, plus 200-300 Afghan Army soldiers.
2. (b)(6)(b)(7)(C) disclosed on 20Feb10, a gunfight commenced with a sniper. (b)(6)(b)(7)(C) related he assisted with fire support from the roof of the Thunderdome near the observation post. (b)(6)(b)(7)(C) disclosed "Sgt (b)(6)(b)(7)(C) was present during the firefight. (b)(6)(b)(7)(C) stated (b)(6)(b)(7)(C) would be able to know more. (b)(6)(b)(7)(C) related to his knowledge no detainees were apprehended that day as well, and GOLDSTEYN and his team went in pursuit of the sniper and were "able to take care of the problem". (b)(6)(b)(7)(C) disclosed to his knowledge no one was apprehended but his assumed the sniper was killed.
3. (b)(6)(b)(7)(C) disclosed he did not remember any names of any insurgents, but was aware GOLDSTEYN had lists of contacts or individuals of interest in the area.
4. (b)(6)(b)(7)(C) related GOLDSTEYN and he have a friendship relationship and talk approximately one to two times a week. (b)(6)(b)(7)(C) explained he shared a room with GOLDSTEYN and (b)(6)(b)(7)(C). (b)(6)(b)(7)(C)

disclosed since GOLDSTEYN and he were both Captains, GOLDSTEYN would confide in him to assist in making operational or tactical field decisions. (b)(6)(b)(7)(C) stated he is still in touch with GOLDSTEYN, and he last spoke with him approximately two to three weeks ago, because he left his shoes at GOLDSTEYN's home when he went to GOLDSTEYN's Silver Star award ceremony. (b)(6)(b)(7)(C) related GOLDSTEYN always followed the Rules of Engagement from his knowledge and never confided in him in any illegal or immoral activities. (b)(6)(b)(7)(C) disclosed he has nothing but good things to say about GOLDSTEYN.

## ENCLOSURE

(A) DVD+R with Recorded Interview of (b)(6)(b)(7)(C) 04Dec11

## PARTICIPANT

(b)(6)(b)(7)(C) Special Agent, NCISRA Miramar, CA

Exhibit 20



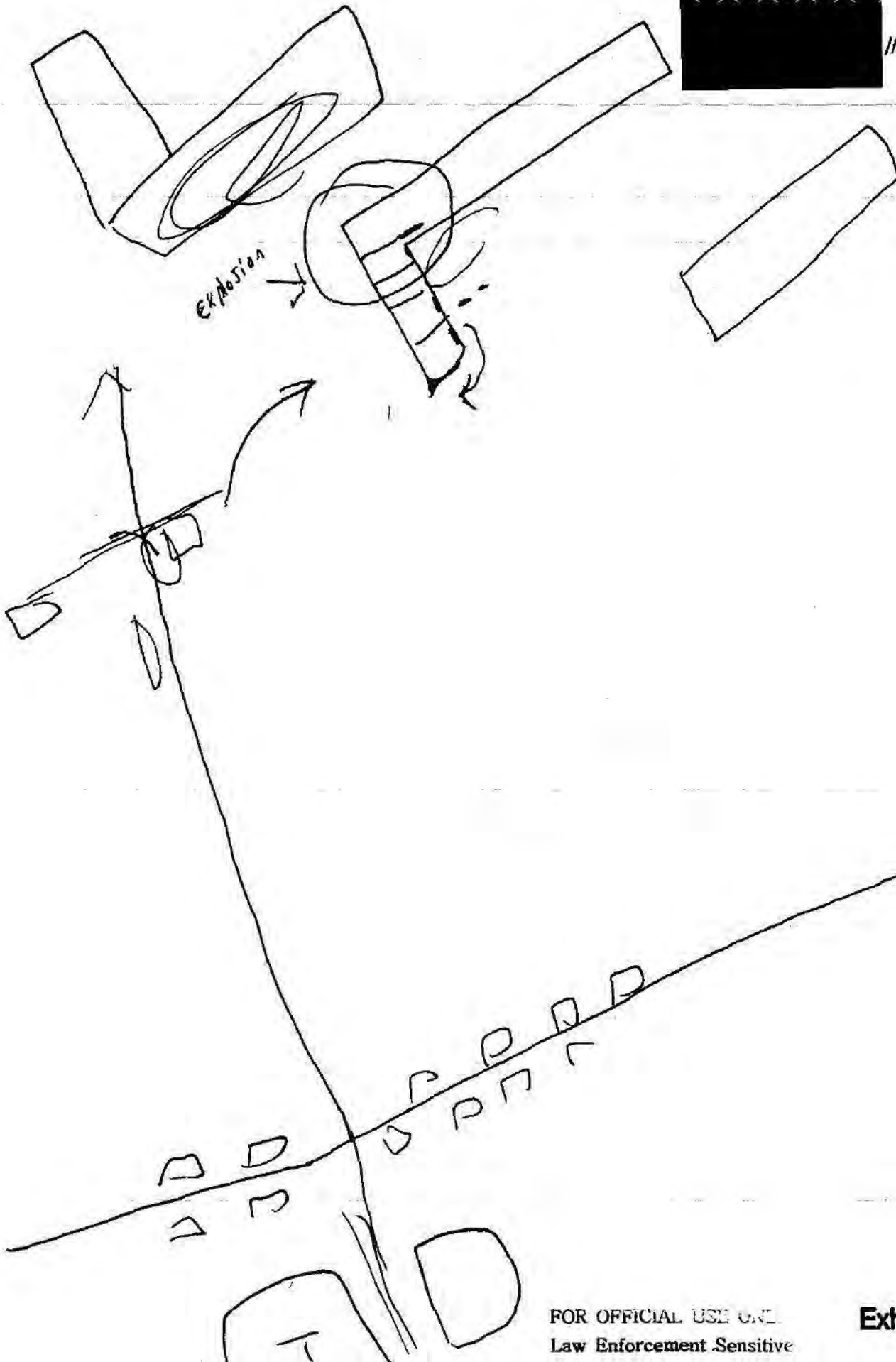
## Exhibit 21

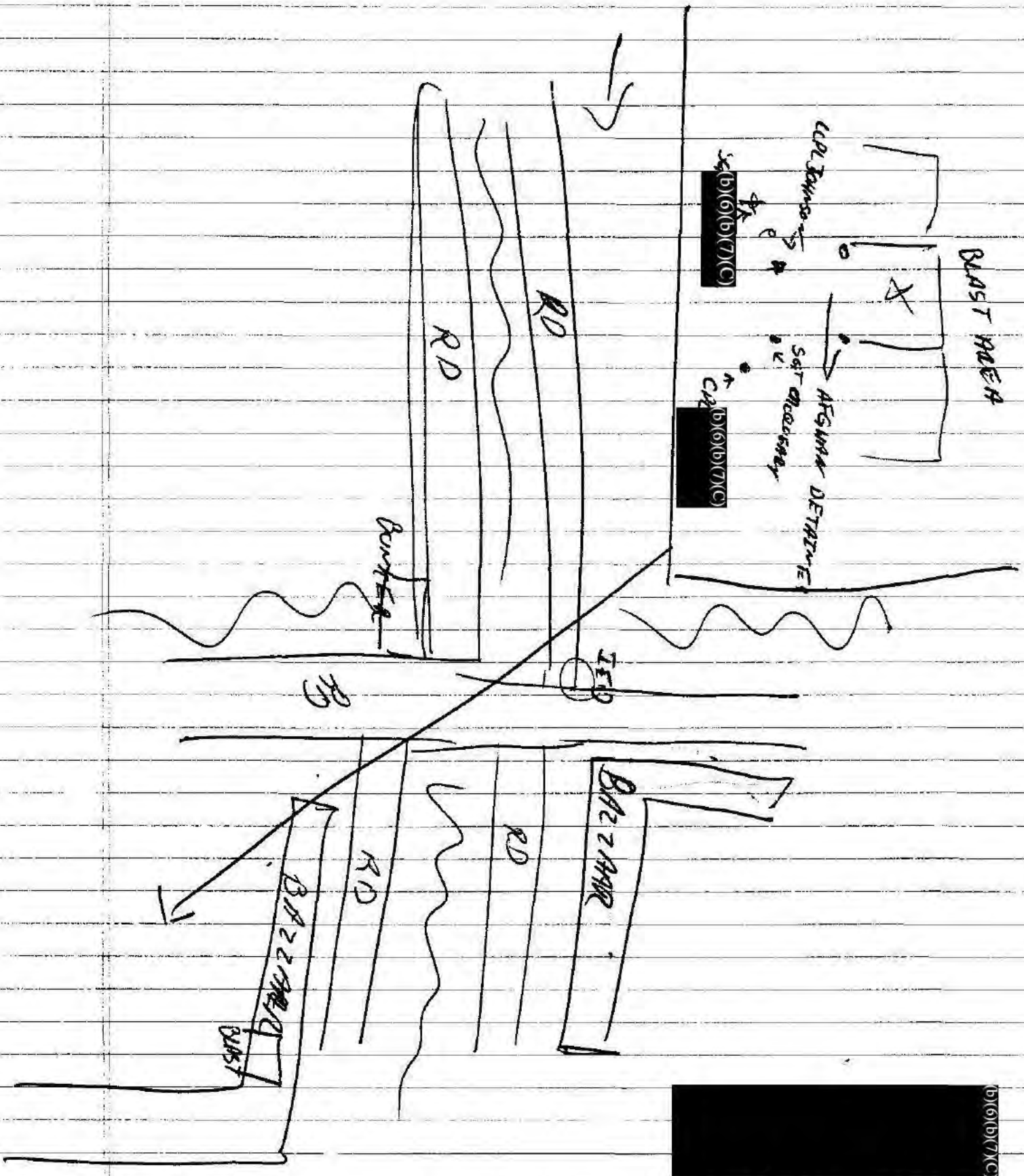
Page(s) 000091 withheld.

5 U.S.C. § 552(b)(6), (b)(7)(C)  
Third Party Information

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

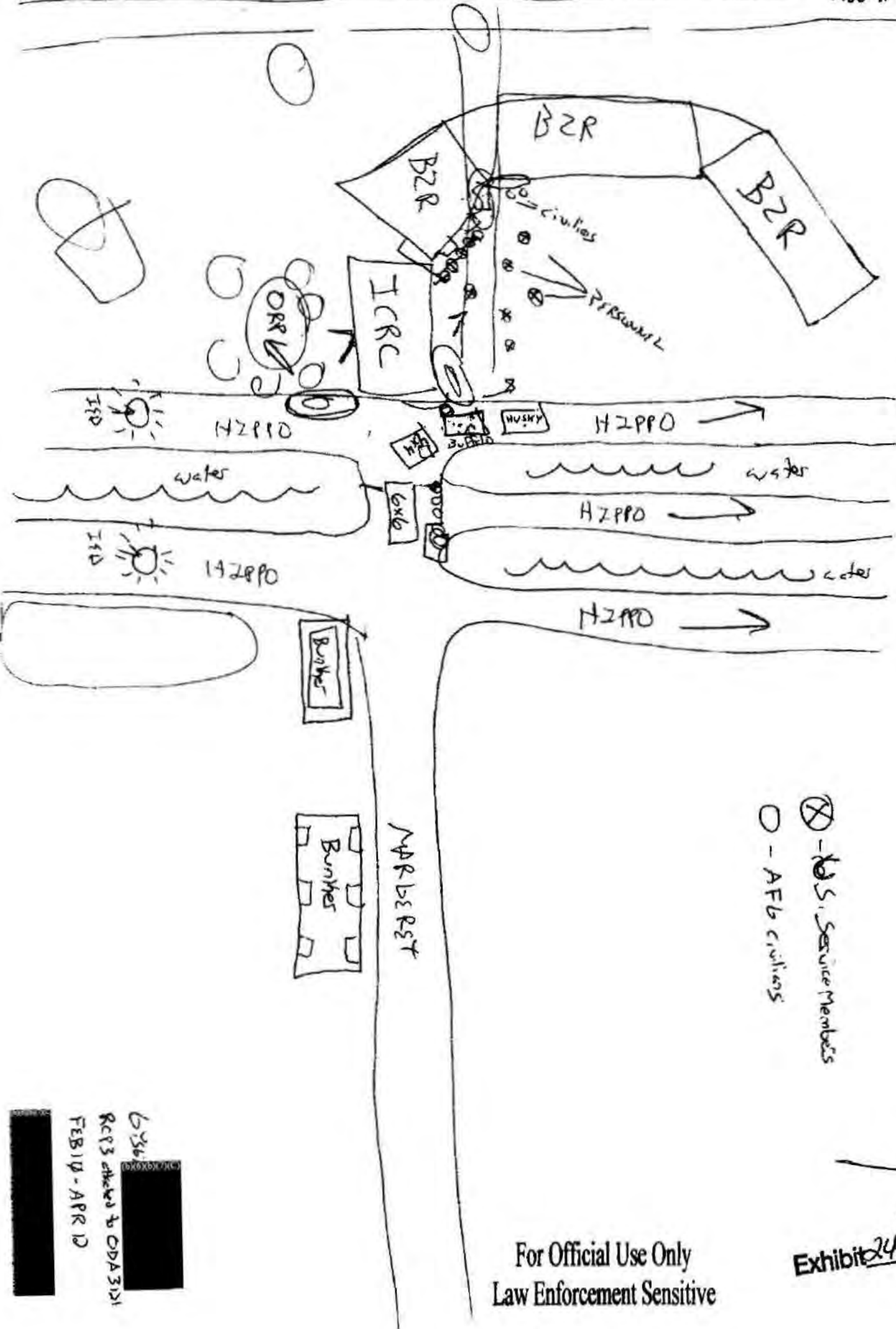
111208



Exhibit 23

000093





- ⊗ - US Service Members
- - AFB civilians

For Official Use Only  
Law Enforcement Sensitive

Exhibit 241

636  
RCR3 attached to CDA 3121  
FEB 14 - APR 12

1N

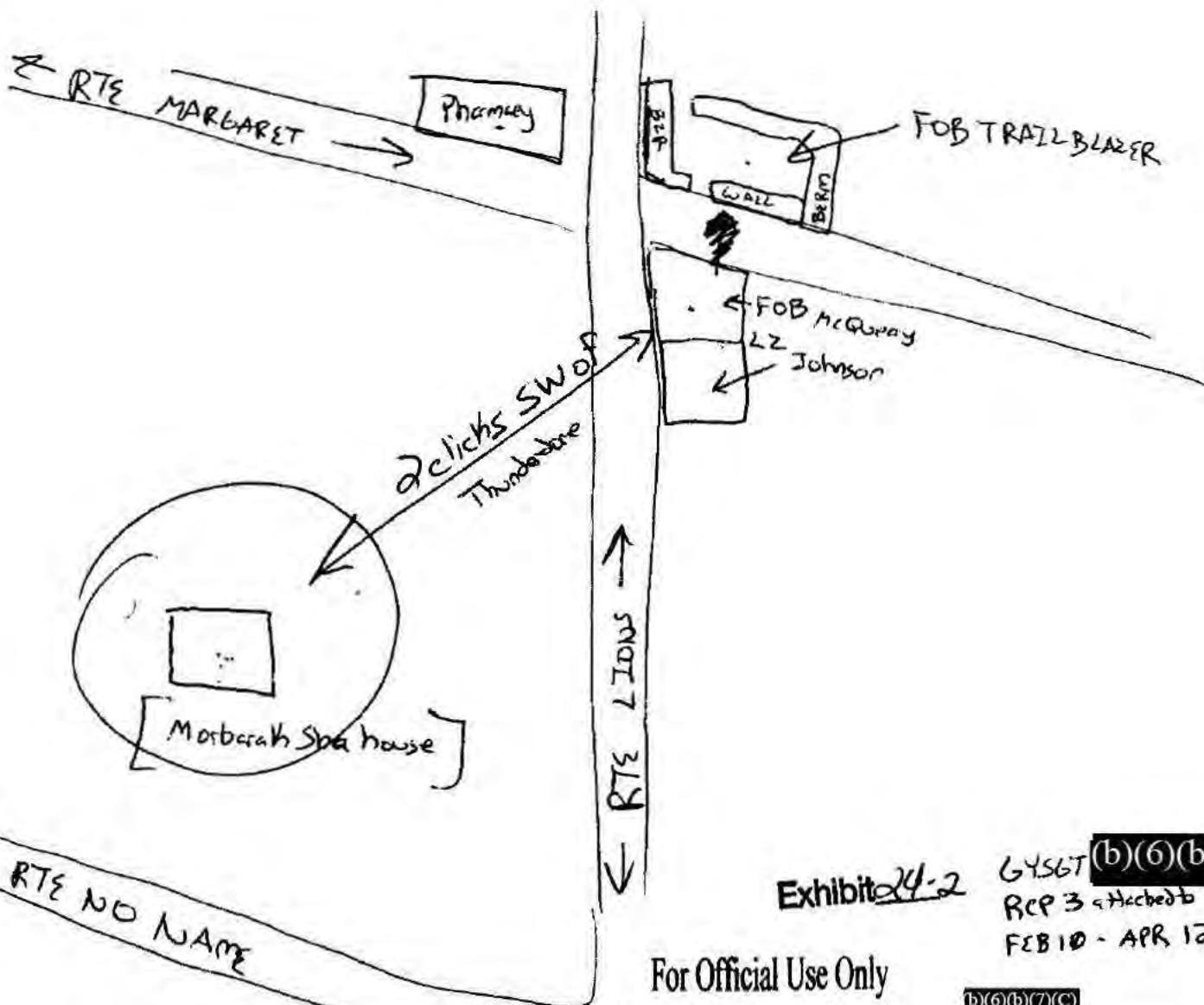


Exhibit 24-2

64SGT (b)(6)(b)(7)(C)  
 REP 3 Attached to ODA 5101  
 FEB 10 - APR 12

For Official Use Only  
 Law Enforcement Sensitive

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

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

000095

## Exhibit 25

Page(s) 000096 withheld.

5 U.S.C. § 552(b)(6), (b)(7)(C)  
Third Party Information

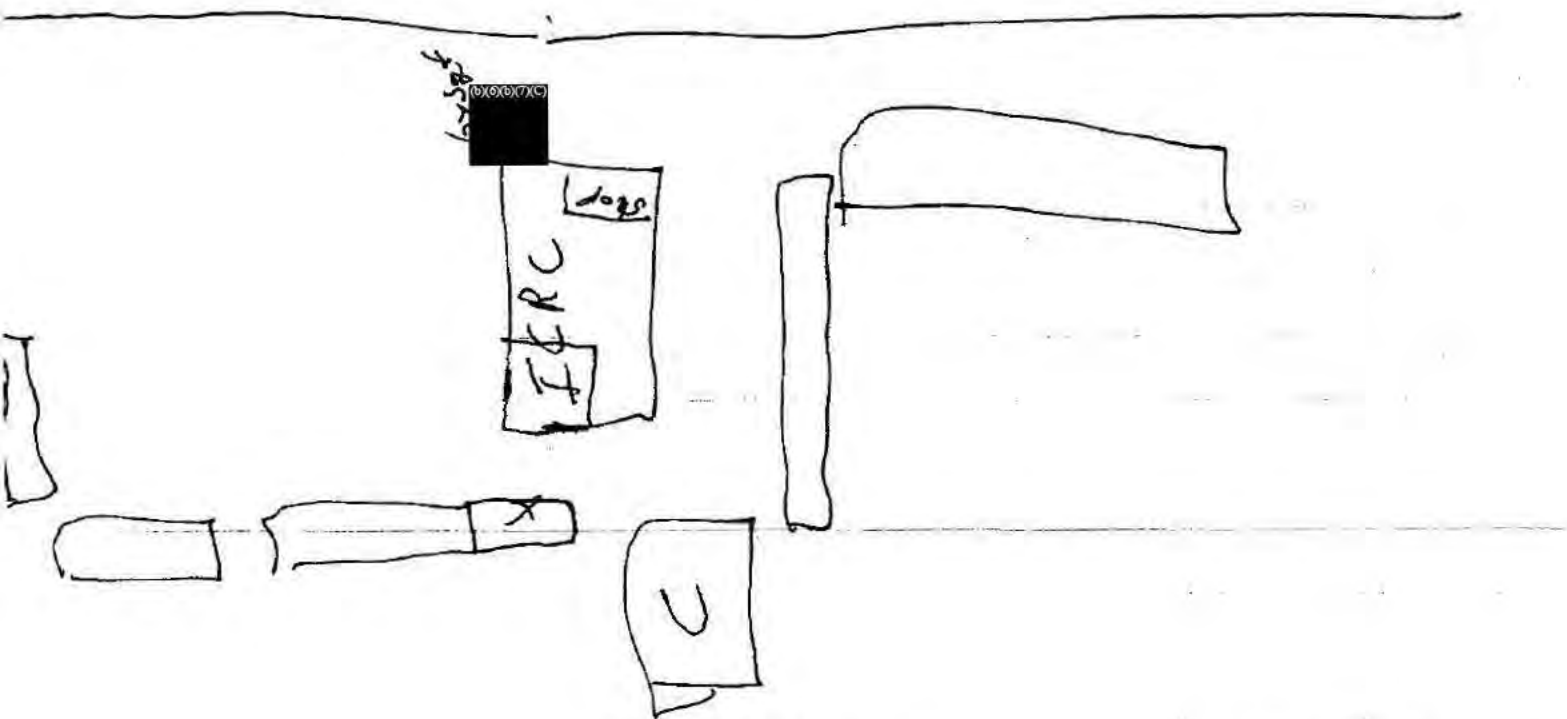
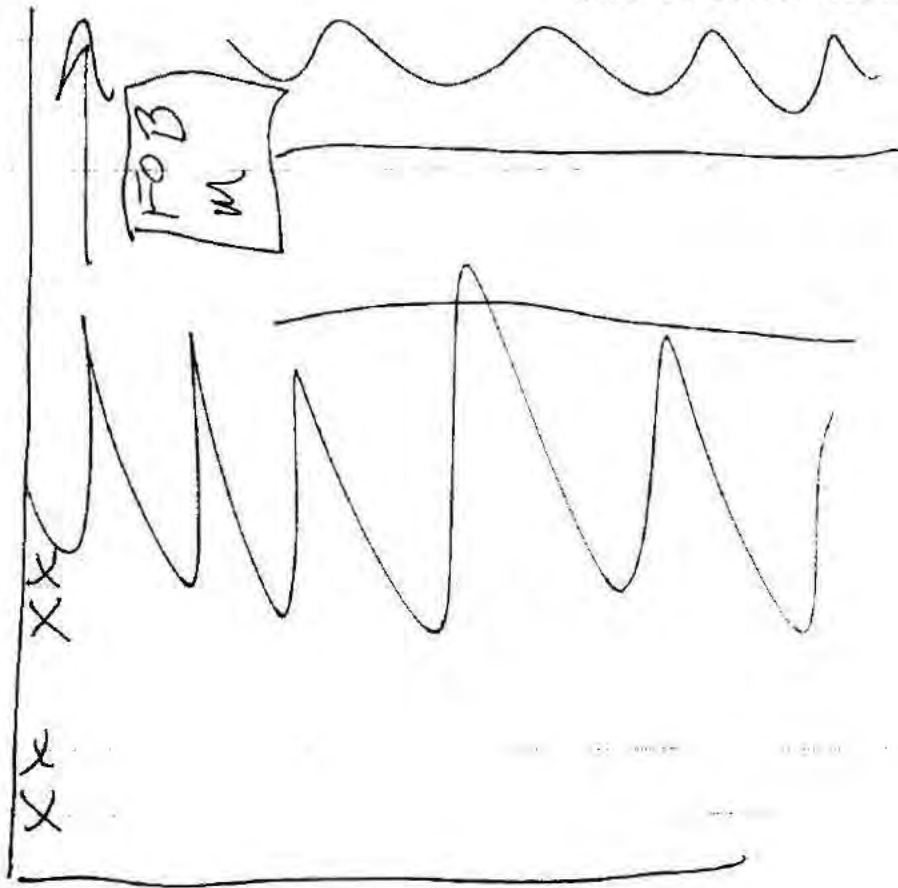
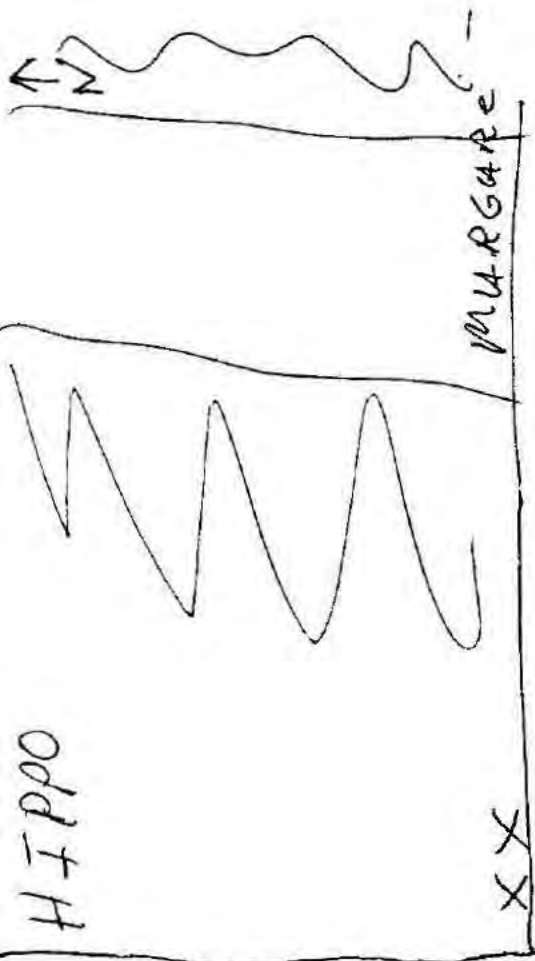


0906-12-C10023-43647

2011-12-09

165

FOR

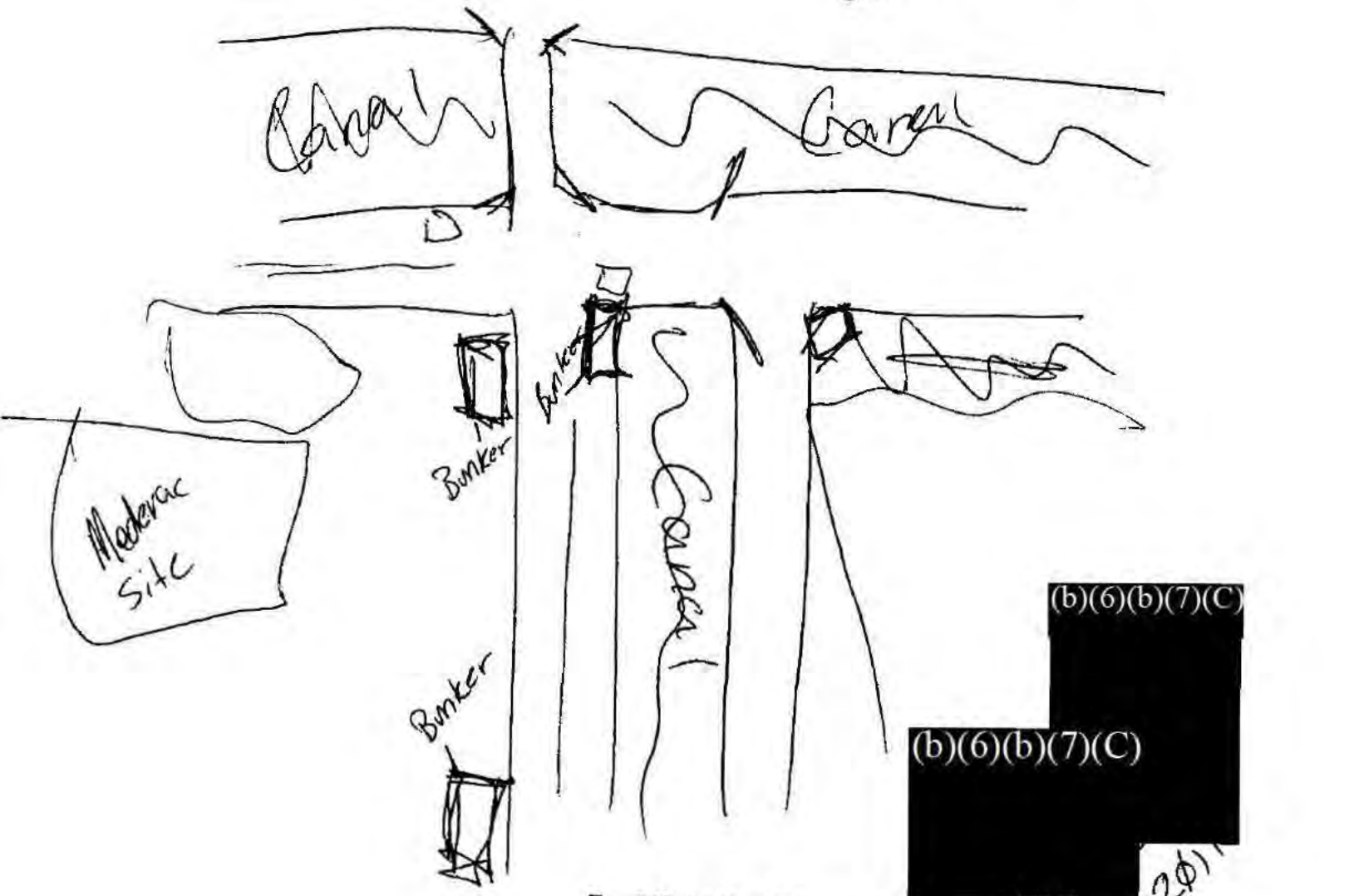
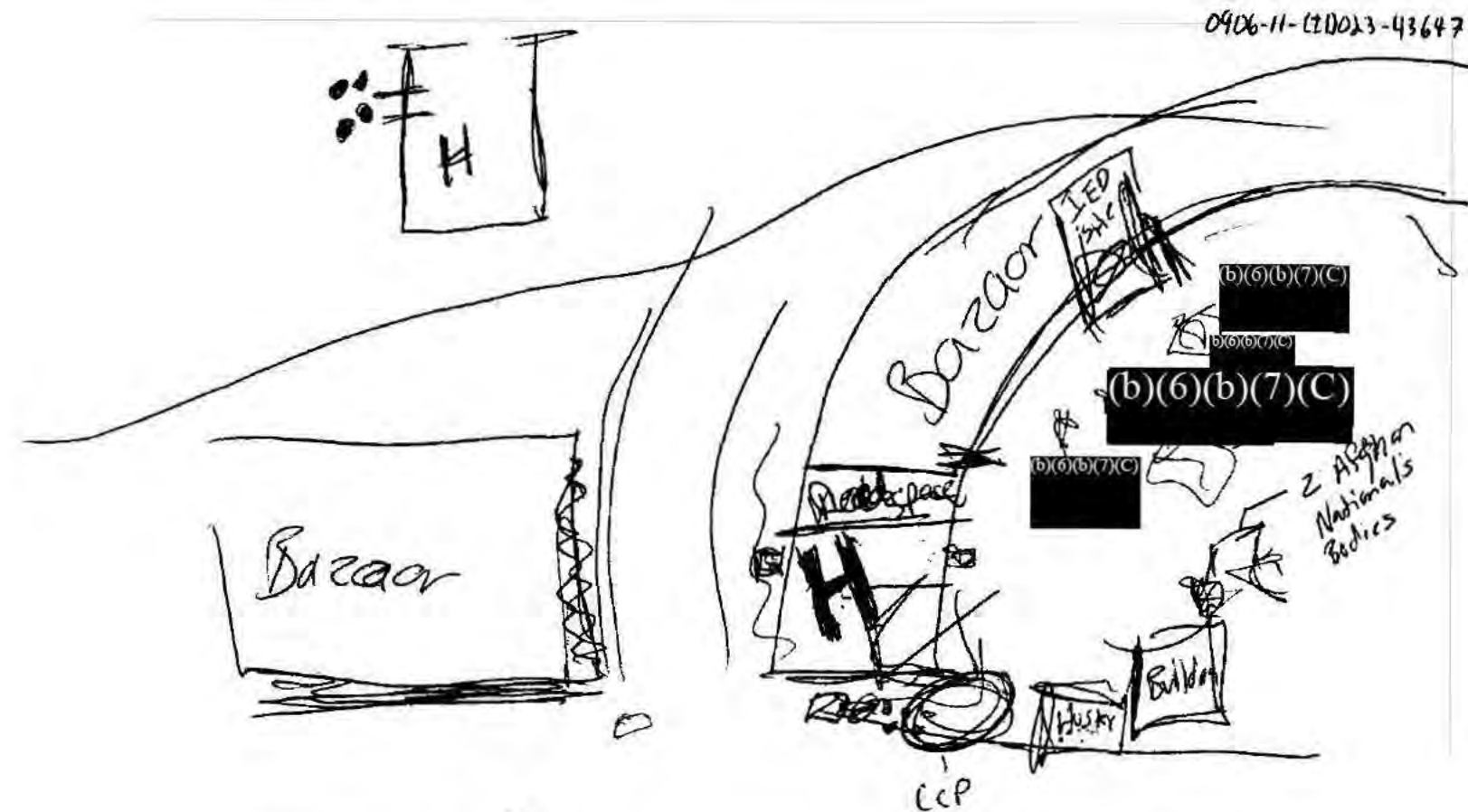


## Exhibit 27

Page(s) 000099 withheld.

5 U.S.C. § 552(b)(6), (b)(7)(C)  
Third Party Information





For Official Use Only  
Law Enforcement Sensitive

Exhibit 28

08 DEC 2011  
1630

000100



# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1  
For Official Use Only - Law Enforcement Sensitive

ROI NUMBER:

0090-11-CID277  
0906-11-CID023-43647

PAGE 1 OF 2 PAGE

## DETAILS

Basis for Investigation: On 23 Nov 11, this office received a Request for Assistance (RFA) from the Fort Bragg CID Office requesting to interview MSG (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) Special Operations Command Africa (SOCA), Kelly Barracks, APO AE 09131, regarding his role within the ODA-3121 team, his relationship with CPT GOLSTEYN, additional members of ODA-3121 and 3D Anglico Marforres Marines, and his knowledge of the incident under investigation.

About 1453, 1 Dec 11, SA (b)(6)(b)(7)(C) interviewed MSG (b)(6)(b)(7)(C) regarding his role with ODA-3121 team and his knowledge of CPT GOLSTEYN's actions during an operation wherein supposedly CPT GOLSTEYN terminate the life of an unarmed combatant. SA (b)(6)(b)(7)(C) explained MSG (b)(6)(b)(7)(C) the scenario related by CPT GOLSTEYN wherein he disclosed his actions in Feb 10 while in Afghanistan. MSG (b)(6)(b)(7)(C) immediately responded saying that it was a lie because MSG (b)(6)(b)(7)(C) was the person in charge of the mission on that day and CPT GOLSTEYN was inside the camp at the TOC.

After hearing MSG (b)(6)(b)(7)(C) saying that he was the person in charge of the mission outside of the camp; SA (b)(6)(b)(7)(C) immediately proceed to advise him of his rights.

About 1518, 1 Dec 11, SA (b)(6)(b)(7)(C) advised MSG (b)(6)(b)(7)(C) of his rights, which he waived and provided a verbal statement wherein he stated that CPT GOLSTEYN and him were deployed to Afghanistan and that every time they have a mission, one of them went out to the mission in charge of the team, while the other person would stayed taking care of the radios in the TOC. MSG (b)(6)(b)(7)(C) stated that on Feb 18, there were some insurgents in the International Red Cross Bldg and due to their location he could not used any weapons against them. MSG (b)(6)(b)(7)(C) stated there were several IEDs all around the place and during the process of searching; they found a sliding door which was locked. MSG (b)(6)(b)(7)(C) asked two local nationals if they would be able to use some pliers to cut the lack which they immediately proceeded to open the door by cutting the lock. The two local nationals started opening the door and immediately after, what appears to be an IED exploded killing two of his Soldiers, the two local nationals, wounded some Soldiers and knocked MSG (b)(6)(b)(7)(C) down. MSG (b)(6)(b)(7)(C) was able to recover and proceeded to assist the wounded Soldiers and asked for support to CPT GOLSTEYN who was at the TOC. MSG (b)(6)(b)(7)(C) stated they identified some possible suspects in a local dwelling, they surrounded the residence expecting to have a fight (fire) with the suspects; however, the local nationals came out of the house with their hands up. MSG (b)(6)(b)(7)(C) stated they interviewed two local nationals, which met with negative results of evidentiary value and both civilians were released at their own. MSG (b)(6)(b)(7)(C) denied having kill any of the two suspects and also denied having any knowledge of CPT GOLSTEYN terminating the life of any unarmed combatant. MSG (b)(6)(b)(7)(C) stated he was pretty sure that CPT GOLSTEYN had killed insurgents during combat missions where there was direct attack from both sides, but he could not believe neither knew of CPT GOLSTEYN committing any war crime.

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

TYPE:	NUMBER:	ORGANIZATION:	
SA		Stuttgart CID Office, 5 <sup>th</sup> MP Battalion (CID), Stuttgart, Germany, APO AE 09128	
SIG	(b)(6)(b)(7)(C)	DATE:	EXHIBIT:
		8 Dec 11	29

FOR OFFICIAL USE ONLY  
LAW ENFORCEMENT SENSITIVE

000101



# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

For Official Use Only - Law Enforcement Sensitive

ROI NUMBER:

0090-11-CID277

0906-11-CID023-43647

PAGE 2 OF 2 PAGE

## DETAILS

Agent's Comment: MSG (b)(6)(b)(7)(C) did not clarify the location of the dwelling nor how they obtain intelligence pertaining to the suspects. MSG (b)(6)(b)(7)(C) neither specified the mode use to transport the suspects into the camp. MSG (b)(6)(b)(7)(C) stated that both civilians left on their own by driving. It was not clarify if the suspects arrived to the camp driving their own vehicle or were transported by U.S. personnel.

About 1531, 1 Dec 11, MSG (b)(6)(b)(7)(C) requested to consult legal assistance and expressed not being too familiar with the legal procedures in a situation like this, and that he was not feeling comfortable because the kind of allegation and due to the Soldiers he lost in the mission.

About 0950, 8 Dec 11, SA (b)(6)(b)(7)(C) met with MSG (b)(6)(b)(7)(C) who stated he had a lawyer and any questions could be answered through him. MSG (b)(6)(b)(7)(C) provided this office with his lawyer's point of contact as: Mr. (b)(6)(b)(7)(C)

About 1650, 8 Dec 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) who stated no further investigation activity was required.///LAST ENTRY///

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

TY NUMBER:

ORGANIZATION:

Stuttgart CID Office, 5<sup>th</sup> MP Battalion (CID),  
Stuttgart, Germany, APO AE 09128

DATE:

8 Dec 11

EXHIBIT:

29

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

FOR OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE

1 FEB 77

000102



# RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

## DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary.

0906-11-010023-43647

1. LOCATION Stuttgart CID Office	2. DATE 1 DEC 01	3. TIME (b)(6)(b)(7)(C)	4. FILE NO. AD-11-010277
5. NAME (Last, First, MI) (b)(6)(b)(7)(C)	8. ORGANIZATION OR ADDRESS Special Operations Command AFRROOM		
6. SSN XXX-XX-(b)(6)(b)(7)(C)	7. GRADE/STATUS EB/AD		

## PART 1 - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

### Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am

suspected/accused WAR CRIMES I have not done

before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:  
 I do not have to answer any questions or say anything. with no penalty

Anything I say or do can be used as evidence against me in a criminal trial.

(For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

### 5. COMMENTS (Continue on reverse side)

### Section B. Waiver

I understand my rights as stated above. I am willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

#### WITNESSES (If available)

1a. NAME (Type or Print)

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

b. ORGANIZATION OR ADDRESS AND PHONE

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

2a. NAME (Type or Print)

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

b. ORGANIZATION OR ADDRESS AND PHONE

6. ORGANIZATION OF INVESTIGATOR  
 Stuttgart CID Office, 202nd MP Group (CID)  
 Stuttgart, Germany, APO AE 09107

### Section C. Non-Waiver

1. I do not want to give up my rights:

☐ I want a lawyer.

☐ I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA form 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.

BASIS FOR INVESTIGATION: On 22 Nov 11, this office received a Request for Assistance from Fort Bragg CID Office requesting this office locate, indentify, and interview PO2 (b)(6)(b)(7)(C) regarding his relationship with CPT GOLSTEYN, members of ODA-3121 and his knowledge of the incidents which occurred regarding this investigation. Additionally, request this office to conduct interview upon completion of subject interview of CPT GOLSTEYN by requesting office.

About 1010, 29 Nov 11, SA (b)(6)(b)(7)(C) positively identified HM2 (b)(6)(b)(7)(C) 1/3 Charlie Company, 3rd Marine Division and interviewed him at the Building 1096, NCIS Office, Marine Corps Base, HI, Kaneohe Bay, HI. HM2 (b)(6)(b)(7)(C) stated on 18 Feb 10, during his deployment with his unit in Marjah, AF, he suffered injuries to the face, neck, shoulders and both legs. HM2 (b)(6)(b)(7)(C) related being transported to Camp Bastion with 1LT (b)(6)(b)(7)(C) (NFI); SGT (b)(6)(b)(7)(C) (NFI); CPL (b)(6)(b)(7)(C) (NFI); LCPL (b)(6)(b)(7)(C) (NFI) and one LCPL (NFI) currently stationed with 1/3 Charlie Company and did not know the other Marines at Camp Bastion. HM2 (b)(6)(b)(7)(C) stated not having any knowledge of SGT (b)(6)(b)(7)(C) SGT (b)(6)(b)(7)(C) SGT MCQUEARY, or LCPL JOHNSON. HM2 (b)(6)(b)(7)(C) stated he did not know CPT GOLSTEYN, was never at FOB MCQUEARY and did not know a SFC (b)(6)(b)(7)(C) /LAST ENTRY///

(b)(6)(b)(7)(C)  
Special Agent, (b)(7)(E)

Schofield Barracks, Hawaii, CID Office  
Schofield Barracks, HI 96857

Signature:

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

Date: 27 Nov 11 Exhibit: 31



**SWORN STATEMENT**

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately retrieved.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURES:** Disclosure of your social security number is voluntary. (b)(6)(b)(7)(C) (b)(6)(b)(7)(C)

LOCATION Bldg 1096, NCIS Office, Marine Corps Base, HI Kaneohe	DATE 29 Nov 11	FILE NUMBER 1310
(b)(6)(b)(7)(C)	SOCIAL SECURITY XXX-XX (b)(6)(b)(7)(C)	GRADE/STATUS ES/USN
ORGANIZATION OR ADDRESS 1/3 C co, 3 <sup>rd</sup> Marine Division, Marine Corps Base, HI Kaneohe		

(b)(6)(b)(7)(C), want to make the following statement under oath: On Nov. 17 2009, I departed MCBH Kaneohe to go to Nawa, Afghanistan. I was attached to 1<sup>st</sup> battalion, 3<sup>rd</sup> Marines, Charlie company, 3<sup>rd</sup> Platoon, 3<sup>rd</sup> Squad. We got to our Area of Operations (AO) on Dec. 1, 2009 and conducted Counter insurgent operations (COIN) until Feb 2010. On Feb. 9<sup>th</sup>, 2010, the Marines and sailors of 1/3 Charlie co flew in to Marjah, Afghanistan. On Feb 18, 2010, I was on a patrol with a mission to clear Route Olympia. We were supposed to link up with a convoy of combat engineers. At the link up point one of the vehicles drove over a 55lb pressure plate IED. I was standing no more than four feet from the blast, I received shrapnel on my face, neck, shoulders and both of my legs. a total of 7 US members were wounded and sent to Camp Bastion. I spent the night in the hospital. After I was discharged from there I went to the CASF, a holding place for wounded warriors. I spent 2 nights at the CASF before I was brought over to Camp leatherneck. At camp leatherneck me and my marines from Charlie co. stayed in a tent with other wounded marines. One marine that was in that tent was from Alexandria, VA. We spent just over a week there before we flew back out to our AO in Nawa.

Q: SA (b)(6)(b)(7)(C)

A: HM2 (b)(6)(b)(7)(C)

Q: Did you know any of the wounded Marines?

A: Yes, I knew 1<sup>st</sup> Lt (b)(6)(b)(7)(C) Sgt. (b)(6)(b)(7)(C) Cpl (b)(6)(b)(7)(C) Lcpl. (b)(6)(b)(7)(C) and one Lcpl from 1/3. All the other marines that I was with, I didn't know and don't know their names.

Q: Did any of the Marines that you were with at Camp Bastion tell any combat stories about any retaliation?

A: no I did not hear any.

Q: Did you know SGT Jeremy MCQUEARY and LCPL Larry JOHNSON?

A: no.

Q: Did you ever know SFC (b)(6)(b)(7)(C) SGT (b)(6)(b)(7)(C) or SGT (b)(6)(b)(7)(C)

A: no.

Q: Have you ever been to the Thunderdome Base or FOB MCQUEARY?

A: no.

Q: Did you have any knowledge of CPT GOLSTEYN?

A: no.

Q: Have you ever heard of or have any knowledge pertaining to an insurgent names (b)(6), (b)(7)(C)?

A: no.

Q: Have you had any contact with anyone that has tried to tell you about going to CID or NCIS?

A: no.

Q: Have you or have had any working relations with anyone from the Special Forces community?

A: just 1 Navy SEAL while he was working as an intern at NNMCC Bethesda.

Q: Did you ever know a Mr. (b)(6), (b)(7)(C)?

A: no.

PAGE 1 OF 2

INITIALS (b)(6)(b)(7)(C)

EXHIBIT: 32



STATEMENT OF: (b)(6)(b)(7)(C)

TAKEN AT: Schofield Barracks, Hawaii, CID Office DATED: 29 Nov 11

9. STATEMENT (Continued)

Q: Are you facebook friends with any of the people I have mentioned to you in this statement?

A: no.

Q: Do you know or have any knowledge of a SFC (b)(6)(b)(7)(C)?

A: no.

Q: Do you have anything else you would like to add to this statement?

A: No///END OF STATEMENT/// (b)(6)(b)(7)(C)

AFFIDAVIT

(b)(6)(b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of November, 2011

(b)(6)(b)(7)(C) at Schofield Barracks CID Office, Schofield Barracks, HI, 96857  
USCIS OFFICE MARINE CORPS BASE HANALEI

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

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

(Type Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

10 USC 936

(Authority to Administer Oath)

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER (0906-11-CID023-43647)  
1096-2011-CID016-

PAGE 1 OF 1 PAGES

## DETAILS

**BASIS FOR INVESTIGATION:** On 1 Dec 11, this office received a request for assistance from the Fort Bragg CID Office, Fort Bragg, NC 28310, to conduct a interview of MAJ (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) 1<sup>st</sup> Special Forces Group, Joint Base Lewis-McChord, WA 98433, concerning his relation to CPT Matthew L. GOLSTEYN, xxx-xx (b)(6)(b)(7)(C) US Army Special Operations Command (USASOC), Fort Bragg, NC 28310 (FBNC), who allegedly committed war crimes while deployed.

About 1320, 2 Dec 11, SA (b)(6)(b)(7)(C) coordinated with SFC (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) 1<sup>st</sup> Special Forces Group, Joint Base Lewis-McChord, WA 98433 who stated MAJ (b)(6)(b)(7)(C) is deployed. SFC (b)(6)(b)(7)(C) provided a contact number (b)(6)(b)(7)(C) and email (b)(6)(b)(7)(C)@jsotfp.socpac.socom.mil

About 1514, 12 Dec 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) Ft. Bragg CID Office who stated no further investigative activity was required by this office. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

44<sup>th</sup> Military Police Detachment (CID)  
Joint Base Lewis-McChord, WA 98433

SIGN

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

DATE

13 Dec 11

EXHIBIT

33

CID FORM 94 FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE  
(Automated)

Termination of protective markings is exempt  
in accordance with AR 380-5

000107



**AGENT'S INVESTIGATION REPORT**

CID Regulation 195-1

ROI NUMBER

0072-11-CID359

PAGE 1 OF 1 PAGES

## DETAILS

**BASIS FOR INVESTIGATION:** On 8 Dec 11, SA (b)(6)(b)(7)(C) his office, received a Request for Assistance from SA (b)(6)(b)(7)(C) 10<sup>th</sup> Military Police Battalion (CID) Fort Bragg, NC 28310-5001, to locate, fully identify, and conduct interviews of SS (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) and SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) all assigned to the 1<sup>st</sup> Battalion, 3<sup>rd</sup> Special Forces Group, Camp Moorehead, Afghanistan, APO AE 09356.

About 1655, 14 Dec 11, SA (b)(6)(b)(7)(C) interviewed and obtained SFC (b)(6)(b)(7)(C) who provided a sworn statement stating he was at Fort Bragg, NC, between 5 Jan 10 and 26 Mar 10. (See Sworn Statement for details).

Agent's Comment: At the conclusion of the interview the section of the DA Form 2823 was inadvertently not filled out and initialed by SFC (b)(6)(b)(7)(C) This office noted the time was 1655, 14 Dec 11.

About 1830, 14 Dec 11, SA (b)(6)(b)(7)(C) interviewed SFC (b)(6)(b)(7)(C) who provided a sworn statement detailing his knowledge of ODA 3121 combat operations during the month of February 2010. (See Sworn Statement for details)

Agent's Comment: At the conclusion of the interview the section of the DA Form 2823 was inadvertently not filled out and initialed by SFC (b)(6)(b)(7)(C) this office noted the time was 1830, 14 Dec 11.

About 0238, 15 Dec 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) Fort Bragg CID Office, Fort Bragg, NC 28310, who related no further investigative activity was requested by this office.

About 2140, 15 Dec 11, SA (b)(6)(b)(7)(C) received a photograph from SFC (b)(6)(b)(7)(C) who related the image was MAJ GOLSTEYN's previous interpreter during the month of February 2010. (See Photographic image for details) /// LAST ITEM ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Kabul CID Office  
Camp Phoenix, Afghanistan, APO AE 09320

SIGNATURE

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

DATE

15 Dec 11

EXHIBIT

34

CID (b)(6)(b)(7)(C) FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE

(Automated) Contents cannot be released outside law enforcement or Department of the Army channels without the approval of the Commander, USACIDC

000108



## SWORN STATEMENT

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

0072-11-CID351

AUTHORITY: Title 10 USC Section 301; Title 5 USC 2951; E.O. 9397 dated November 22, 1943 (SSN).  
 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.  
 ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
 DISCLOSURE: Disclosure of social security number is voluntary.

File Number: 0072-11-CID359-  
 Location: (b)(6)(b)(7)(C) KABUL CID Office  
 Date: December 14, 2011  
 Time:  
 Statement of: (b)(6)(b)(7)(C)  
 Grade/Status: E-7 Active  
 SSN: XXX-XX-(b)(6)(b)(7)(C)  
 Org/Address: Camp Phoenix Regional Contracting Center, Camp Phoenix, APO AE 09320

I, (b)(6)(b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In February 2010, I was the senior medic on ODA3121. Our team was assigned as the combat advisors for 3/4/205<sup>th</sup> Afghan National Army (ANA) Kandak for the liberation of the city of Marjah, Helmond Province, Afghanistan. I was the senior tactical advisor to the company commander of the 1<sup>st</sup> Company of the 3d Battalion. Our Task Force consisted of our 10-man ODA, a 4-man Marine Artillery Naval Gunfire Liaison Company (ANGLICO) Team, a 30-man Marine Route Clearance Platoon (RCP), and a 5-man Marine Heavy Engineer Team. CPT Golsteyn was the Task Force Ground Commander. We began the invasion on the night of the 12<sup>th</sup> of February to the best of my recollection. Our team's mission was to secure the southern 1/3 of the city. To additional Special Forces ODA's with their Afghan Commando counterparts were to air assault in and secure two objectives inside our sector of operations. The first objective was a likely training school for foreign fighters on the southwest edge of our sector and the second (Objective [OBJ] Thunderdome) was the home of a prominent drug trafficker in Marjah with ties to the Taliban and the Queta Shura in Pakistan. OBJ Thunderdome was adjacent to the Balikino Bazaar in the center of our assigned sector. To accomplish our mission we conducted a deliberate breach of the canal system surrounding the city then cleared the roads and intersections of IED's and established checkpoints along the roads on our way to relieve in place the ODA's and Commando elements that had secured the first objective and OBJ Thunderdome. We reached the first objective by late afternoon on the day of our initial breach. We cleared compounds on both sides of the roads as the Marine Corps RCP cleared the roads to provide flank security. My company of ANA (1<sup>st</sup> Company) was positioned on the south side of the road. SSG (b)(6)(b)(7)(C) our junior 18E, was my battle buddy and assistant advisor to 1<sup>st</sup> Company. SSG (b)(6)(b)(7)(C) Senior 18B) and SSG (b)(6)(b)(7)(C) Senior 18C) we the advisors to 3d Company on the north flank of the road. Our companies cleared all compounds 600 meters to the north and south of the road as the RCP cleared the roads. 3d Company was engaged sporadically throughout the day from the north in the vicinity of the intersection to the north of the first objective where there was a bazaar and an International Red Cross/ Red Crescent (ICRC) Clinic. We continued clearing the roads to the East of the first objective until dark. At dark, we established a RON site and security perimeter around the vehicles. The following morning (13<sup>th</sup> of Feb.) we continued clearing to the intersection 1500 meters to the south of Thunderdome then turned north and cleared the road and compounds up to the Balikino Bazaar and OBJ Thunderdome. We reached Thunderdome on the late afternoon of the second day (14<sup>th</sup> of February). During our mission in Marjah we established an SOP to take pictures and gather biographical data on all military aged males (MAM's) found during clearing operations or foot patrols to later help us establish intelligence on the local population as well as determine who were locals who belonged and who were outside foreign fighters. When our unit reached the Balikino bazaar we established strong points around the main intersection on the (b)(6)(b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)

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EXHIBIT 35

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

STATEMENT OF (b)(6)(b)(7)(C) TAKEN AT: Kabul CID Office; DATED: December 14, 2011 (CONTINUED)

Northeast, Southwest, and Southeast corners of the intersection. OBJ Thunderdome was on the Southeast corner of the intersection and was the tallest building in the area at 3 stories. There was a gas station on the Northeast corner where we would eventually build a small motorpool for the RCP vehicles. Another 3 story building and compound not quite as tall as Thunderdome lay on the Southwest corner of the intersection and became the ANA Kandak Headquarters where all persons under custody (PUC's) were kept guarded by the ANA. To my knowledge all questioning of PUC's were conducted with the ANA leadership present and either CPT Mathew Golsteyn (3121 Detachment Commander), MSG (b)(6)(b)(7)(C) (Detachment Operations Sergeant), SSG (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) Senior 18E and intel cell leader and the team's only ASOT Level II at the time) or the other member of the intelligence cell, a Marine Sgt. from 7<sup>th</sup> Marine Regiment's S2 section. The Marine Sgt. arrived around the 19<sup>th</sup> or 20<sup>th</sup> of February, I believe. From my recollection almost all questioning took place at the ANA Kandak Headquarters building shortly after we were established at OBJ Thunderdome. The Commando and other ODA's exfiltrated on the 15<sup>th</sup> or 16<sup>th</sup> of February. The RCP cleared all the IED's from the intersection at the Balikino Bazaar during the 14<sup>th</sup>-17<sup>th</sup> of February with several enemy assaults on our positions during those days. 1LT (b)(6)(b)(7)(C) and Ssgt (b)(6)(b)(7)(C) were in command of the RCP and engineer element during our time in Marjeh. They and their men performed valiantly under fire while helping to repel attacks and clearing over 80 IED's while losing 2 KIA and 3 WIA during the mission. On the 18<sup>th</sup> of February, our split team under the command of MSG (b)(6)(b)(7)(C) cleared the intersection 800 meters to the West of Thunderdome. The intersection had a bazaar and an ICRC clinic and was defended by 4 reinforced machine gun bunkers and approximately 40 Taliban Insurgents. SSG (b)(6)(b)(7)(C) and SSG (b)(6)(b)(7)(C) (Junior 18D) were advising 3d ANA Company during the assault. A squad from the RCP under the command of Ssgt (b)(6)(b)(7)(C) and 1LT (b)(6)(b)(7)(C) were also part of the assault and were to begin clearing the bazaar of IED and booby traps once the Taliban were pushed back. Myself, CPT (b)(6)(b)(7)(C) (ANGLICO), and CPT Golsteyn were on the roof of Thunderdome to spot for enemy positions and control close air support in support of the assault. CPT Golsteyn was constantly bouncing back and forth from the roof to the OPCEN coordinating air strikes and the MEDEVAC request that was needed for Sgt McQuerry and Pfc Johnson (both KIA) and 3 other Marines. The Marines were injured during clearing operations of the bazaar by a large IED booby trap on one of the bazaar shop doors where explosives were being stored. On the night of the 18<sup>th</sup>, we left a reinforced ANA Company at the intersection to defend it in the event insurgents tried to re-infiltrate the bazaar and set in more IED's. On the 19<sup>th</sup>, the RCP cleared the remaining IED's from the bazaar and intersection. On the 20<sup>th</sup>, CPT (b)(6)(b)(7)(C) was nearly killed by a sniper while ranging targets in the gun position on the roof of Thunderdome. The shot came from a row of compounds 600m to the north of Thunderdome across open poppy fields and hit the sight on the MK 47 (automatic grenade launcher) that CPT (b)(6)(b)(7)(C) was looking through. CPT Golsteyn led our split team element of ANA, Marine heavy engineers, and 2 gun trucks from the RCP in an assault to clear the compounds to prevent further attacks from those buildings. Myself, SSG (b)(6)(b)(7)(C) and SSG (b)(6)(b)(7)(C) (Junior 18C) were advising 1<sup>st</sup> ANA Company in the assault. The assault element would push through the open poppy fields under fire support from the gun trucks and heavy weapons on the roof of Thunderdome. All roads leading to the compounds were suspected of IED's, so CPT Golsteyn had the Marine Bulldozer make a road through the poppy fields to enable the gun trucks to support the infantry assault. Our element came under heavy machine gun fire from numerous enemy positions in the compounds to the north as we began our assault across the fields towards the compounds. CPT Golsteyn coordinated Gun Runs and close in bombing runs, as well as mortar fire in support of our assault and he personally supported my movement across open ground to evacuate casualties with precision Carl Gustav shots onto enemy positions. His tireless efforts and expert leadership saved several friendly lives that day and prevented further direct fire attacks on Thunderdome. I recommended him and CPT Golsteyn was awarded the Silver Star for his actions on the 20<sup>th</sup> of February 2010. On the 21<sup>st</sup> -23d of Februar (b)(6)(b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)

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EXHIBIT 35



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

STATEMENT OF: [REDACTED] TAKEN AT: Kabul CID Office; DATED: December 14, 2011 (CONTINUED)

we continued clearing the road and intersections to the north of the ICRC clinic where the heaviest Taliban resistance still remained. We lost 6 more ANA soldiers to booby traps and IED's during those days of clearing. On or about the 24<sup>th</sup> of February MSG (b)(6)(b)(7)(C) and SSG (b)(6)(b)(7)(C) split team element cleared the rest of our sector East of Thunderdome. I do not recall any people that were taken into custody during our time in Marjeh that were not handed over to and guarded by the ANA within minutes of being detained. Almost all the people detained were done so by the ANA with our supervision. To my knowledge and recollection, all questioning was done in the presence of ANA leadership and all PUC's were treated with respect and fairness while being held in the ANA headquarters building on the Southwest corner of the Balikino Bazaar.

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

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

What is your role with ODA-3121?

A: I am the senior 18D medic. In 2010, I was also the combat advisor to the 1<sup>st</sup> Company/3/4/204<sup>th</sup> Kandak. I set up and ran the UW Clinic we started in the Balikino Bazaar, I processed all intelligence gathered from the clinic to the intel cell, I was the detachment S1, and the Preventive Medicine Officer for the detachment in charge of waste management and food storage and procurement.

Q: What is your relationship with MAJ GOLSTEYN?

A: MAJ Golsteyn was my detachment commander from 2008-2010 and continues to be a good friend and comrade to this day.

Q: Do you know the interpreter's name who was with MAJ GOLSTEYN during 01 Feb 10 - 18 Feb 10?

A: No, I cannot remember his name.

Q: Can you describe the interpreter with MAJ GOLSTEYN during 01 Feb 10 - 18 Feb 10?

A: He was about 5'09" thin build, dark hair and a stubble growth beard, without a dimple in his chin.

Approximately (b)(6)(b)(7)(C) would guess. I am pretty sure I have a picture.

Q: Do you know who MAJ GOLSTEYN's close friends were / are?

A: MAJ (b)(6)(b)(7)(C) MSG (b)(6)(b)(7)(C) MSG (b)(6)(b)(7)(C) me and almost everyone else who served on the detachment in 2009 and 2010.

Q: Do you know how capture tags were utilized and filed during this time period?

A: We did not use capture tags at that time. We had some chute tags and 3x5 cards, but the ANA were actually the ones using their authority to detain and question people. They allowed us to question detainees to help train their commanders and staff and to help them gather more effective intelligence.

Q: What is your relationship with other members of ODA-3121?

A: We are all pretty close, though there are only 4 of us still on the team from the 2010 tour.

Q: What is your relationship with marines attached to ODA-3121?

A: I have not seen (b)(6)(b)(7)(C) since an awards ceremony at Camp Lejeune in the Fall of 2010 (b)(6)(b)(7)(C) and I still communicate via email and he and his family have visited mine and mine his a few times over the last year when we are not both deployed.

Q: Do you know of any incidents involving MAJ GOLSTEYN, in which he shot an un-armed male while in Afghanistan?

A: Absolutely NOT. I have a hard time believing that such an incident ever occurred. I further find it hard to believe Matt Golsteyn would do that. The only reason I could possible conceive him doing something like that is if he felt his men's lives were at direct risk.

Q: Did you ever observe anyone leaving OBJ Thunderdome with only two or three persons when releasing a PUC?

A: No, never. That goes against our SOP's (b)(6)(b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 6 PAGES



STATEMENT OF: (b)(6)(b)(7)(C) TAKEN AT: Kabul CID Office; DATED: December 14, 2011 (CONTINUED)

Q: Please describe the process of releasing a PUC back into the local populace?

A: The ANA would hold the person until their tribal elder came to vouch for them. The American and ANA leadership would talk with the elder and ask them why they are vouching and if the person was known to be Taliban or a supporter. That elder would then take responsibility for the person and if they were caught again doing something suspicious or in direct contact with Taliban, then the elder would also be accountable. The elder would then be escorted to the ANA Headquarters building and have to identify the person and then escort them out of the compound. This was done under the supervision of the ANA leadership and 2-3 Americans.

Q: Did you ever hear anything about a person being released and escorted to their home instead of to a Village Elder?

A: No. We would not escort them anywhere. They elder would leave with the person, on a few occasions in the first few days of us being at the Balikino Bazaar we would release people from the compound on their own, especially if we had not been there for their detention or it was very clear they had no connections to the Taliban. I do not recall that happening after the first few days.

Q: What type of documentation was used when processing PUC's?

A: I am not sure. I did not take direct part in processing PUC's. The ANA handled most of that. The PUC's were not detained by American Forces, they were detained by the ANA.

Q: Do you have images or documents to show those who were either PUC's or MAM's?

A: I do still have pictures on my hard drive at FOB Morehead from the 2010 rotation.

Q: Do you know of anyone else who may have images or data regarding either PUC's or MAM's?

A: It is likely that SSC (b)(6)(b)(7)(C) and SSG (b)(6)(b)(7)(C) still do. I do not know for sure. 7<sup>th</sup> Marine Regiment S2 section and SOTF-South S2 sections should have all pictures and intelligence reports on file in archives.

Q: Are you willing to provide the images and any information to this office?

A: Sure.

Q: Who controlled the burn pit on OBJ Thunderdome?

A: I controlled the burn pit as the Preventive Med officer in charge of waste management.

Q: Describe the burn pit on OBJ Thunderdome?

A: It was a 4ft. by 4 ft. 2 ft deep hole usually filled with burn residue that was on the south side of the main building.

Q: How far from the building was the burn pit?

A: Maybe 20 meters.

Q: Was there any other oversight/security on OBJ Thunderdome that covered the burn pit.

A: The burn pit was observed by a roving guard on the roof of the building, a roving guard on the ground level of the back of the compound and the southern machine gun position on the 2d story balcony.

Q: When were PUC's normally released and why?

A: PUC's were normally released as soon as an elder came to couch for them, we collected enough evidence for the ANA to arrest them and process them to Kandahar, or it was clear after questioning that they had no ties to the Taliban or their activities. The later was usually men that the ANA detained without our recommendation.

Q: Please describe the process of processing a PUC from the moment he or she is taken into custody.

A: 95% of the time the person was detained directly by the ANA and no American ever directly touched him. The ANA would place flex cuff's on the person and separate them from other MAM's. Their information would be taken down by an American and an ANA officer. Their family, if present, would be told where the person was being taken and to have their tribal elder come and vouch for them. Depending on the circumstances they might have a nylon sack placed over their head if they are detained on or around a place we were getting shot at from. Then escorted back to the ANA headquarters building. 5% of the time, if the tactical situation was still (b)(6)(b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)

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

STATEMENT OF [REDACTED] TAKEN AT: Kabul CID Office; DATED: December 14, 2011 (CONTINUED)

unsecure, an American would place the flex cuffs on the MAM and then hand him to the first ANA soldier he could find who wasn't actively pulling security of fighting.

Q: Who interviewed PUC's upon arrival?

A: CPT Golsteyn, MSG [REDACTED] SSG [REDACTED] and occasionally the Marine Sgt. that was part of our intel cell. At least 2 of those people, along with members of the ANA staff and S2 section.

Q: Which team worked with MAJ GOLSTEYN during the above time frame?

A: After the 13<sup>th</sup> of February, CPT [REDACTED] myself, SSG [REDACTED] and 1<sup>st</sup> company were partnered together with CPT Golsteyn on patrols.

Q: Are you aware of a un-vetted "walk-in" source MAJ GOLSTEYN used during the above time frame?

A: There were several people who came in and gave us information. No one was able to be vetted. I would say there were at least 30 walk-in sources in February and early March. Many of whom provided information that turned out to be correct.

Q: Have you ever heard of the name [REDACTED]?

A: Not to my recollection.

Q: Do you know who the key tribal leaders were in the area at the time?

A: I do not recall the names off the top of my head. There were 3 elders in the Wardak tribe in southern Marjeh that we dealt with on several occasions and had relatively good relations with. I recall at least one elder from the Noorzai tribe that we dealt with on a couple of occasions, but he was never trusted and several of the insurgents killed in our sector of Marjeh were from his tribe. His tribal area had the most IED's emplaced around it after we arrived as well.

Q: If MAJ GOLSTEYN only needed one or two persons from your unit to assist him, who do you think he would choose?

A: Myself and pretty much anyone on the team would walk through fire for him.

Q: Are you aware of any previous allegations against MAJ Golsteyn?

A: No.

Q: How many interpreters did you have with you during that time frame?

A: We brought 6 interpreters with us from Oruzgan Province and Tarin Kowt.

Q: Were any of those interpreters close with MAJ Golsteyn?

A: Yes, his interpreter. All of our interpreters except his and mine quit after a month in Marjeh.

Q: Have you ever heard of any interpreters visiting MAJ Golsteyn in the United States?

A: Yes [REDACTED] our interpreter from the 2009 Afghanistan rotation.

Q: Are there any other members/participants who you have not mentioned?

A: Sgt's [REDACTED] from CPT [REDACTED] ANGLICO TEAM

Q: Is the above narrative in your own words?

A: Yes

Q: How were you treated here today?

A: Great

Q: Were you afforded the opportunity to take breaks as needed today?

A: Yes

Q: Is there anything else you would like to add to this statement at this time?

A. No.///END OF STATEMENT/[REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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STATEMENT OF: (b)(6)(b)(7)(C) TAKEN AT: Kabul CID Office; DATED: December 14, 2011 (CONTINUED)

**AFFIDAVIT**

(b)(6)(b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (b)(6)(b)(7)(C)

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this December 14, 2011, at Kabul, Afghanistan.

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

(Signature of Person Administering Oath)

Special Agent (b)(6)(b)(7)(C)  
Kabul CID Office  
22<sup>nd</sup> Military Police BN(CID)  
USACIDC, Camp Phoenix, Kabul, Afghanistan, APO AE 09320

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

WITNESS:

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

WITNESS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 6 OF 6 PAGES



## SWORN STATEMENT

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

0072-11-CID359

AUTHORITY: Title 10 USC Section 301; Title 5 USC 2951; E.O. 9397 dated November 22, 1943 (SSN).  
 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.  
 ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
 DISCLOSURE: Disclosure of social security number is voluntary.

File Number 0072-11-CID359-  
 Location KABUL CID Office  
 Date December 14, 2011  
 Time  
 Statement of (b)(6)(b)(7)(C)  
 Grade/Status E-7 / Active  
 SSN XXX-XX (b)(6)(b)(7)(C)  
 Org/Address Camp Phoenix Regional Contracting Center, Camp Phoenix, APO AE 09320

(b)(6)(b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Was attending Advance Special Operations techniques (ASOT) Course on Fort Bragg, NC from 5 January to 26 March 2010. I cleared my TDY travel orders for the ASOT Course from 06 April 2010 till 6 May 2010. From 06 May to 14 May 2010 I prepared for Deployment to Afghanistan. On 14 May 2010 I deployed on a Civilian rotator Aircraft from Baltimore, Maryland. I arrived on Kandahar Airfield (KAF) on/about 20 May 2010. I first made link up with my SFODA 3121 on/about 03 June 2010 on Camp Baston (UK FOB). I spent approximately 4 days at "Thunderdome". Then I was moved to act as the SFODB 3120 Intelligence Sergeant till 01 Aug 2010, when I redeployed back to Fort Bragg to attend a school.

Q: SA (b)(6)(b)(7)(C)

A: (b)(6)(b)(7)(C)

Q: When did arrive CONOUS?

A: I arrived on Kandahar Airfield (KAF) on/about 20 May 2010.

Q: When did leave CONOUS?

A: I redeployed back to Fort Bragg around 01 Aug 2010 to attend a school.

Q: Are you a member of ODA-3121?

A: Yes, I have been on SFODA 3121 from April 2009 till current date.

Q: What is your role with ODA-3121?

A: I have always been SFODA 3121's Intelligence Sergeant (18F).

Q: What is your relationship with MAJ GOLSTEYN?

A: I am his subordinate and was his Intelligence Sergeant (18F).

Q: Do you know the interpreter's name who was with MAJ GOLSTEYN during 01 FEB 10 - 18 FEB 10?

A: No, I only was with SFODA 3121 in Helmond, Marjah area for about four (4) days. I do not remember any of the linguist or attachments to the ODA during the questioned time period.

Q: Do you know who MAJ GOLSTEYN close friends are?

A: I never had a personal relationship with MAJ GOLSTEYN, I never meet him with friends on duty hours or off duty hours. So I cannot name any "Close friends" of MAJ GOLSTEYN. I can speak that MAJ GOLSTEYN was close to MSG (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) and SFC (Then SSG) (b)(6)(b)(7)(C) were close friends to MAJ GOLSTEYN.

Q: Do you know how capture tags were utilized and filed during this time period?

A: No, I do not know how capture tags were utilized and filed during this questioned time period. I was not with the ODA during the questioned time period in Helmond, Marjah area, SFODA 3121 had a Marine Corps (b)(6)(b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)

PAGE 1 OF 3 PAGES

STATEMENT OF (b)(6)(b)(7)(C) TAKEN AT: Kabul CID Office; DATED: December 14, 2011 (CONTINUED)

(USMC) Intelligence Analysis Sergeant (Rank unknown) assigned to act as the Intelligence Analysis. He filled in as the ODA 3121 Special Forces Intelligence Sergeant (18F).

Q: What is your relationship with other members of ODA-3121?

A: I only have a work relationship with members of ODA 3121. I will meet two to three ODA members for drinks or to watch UFC fights at local restaurants and Bars. We will have team night outs before a deployment for family dinners or house get togethers. But outside of general meetings or outings; I don't socially "hang out" or go to places with ODA members or go to shooting ranges, ETC.

Q: What is your relationship with marines attached to ODA-3121?

A: I never developed any relationship with any Marines attached to ODA 3121. I was not with the ODA long enough to develop a relationship with any attachments.

Q: Do you know of any incidents involving MAJ GOLSTEYN, in which he shot an un-armed male during the time period of 01 Feb 11 through 18 Feb 11?

A: I have never heard anyone on SFODA 3121, to include MAJ GOLSTEYN talk about any Afghan local national, un-armed male being shoot during the last OEF rotation. I never heard any stories from any members of SFODA 3121 of ill-treatment, wrong doings, or shootings of any un-armed Afghan local nationals. I never of an Afghan local national un-armed male being shoot in Helmond, Marjah area or any location during last OEF rotation.

Q: How were you treated here today?

A: Good

Q: Were you afforded the opportunity to take breaks as needed today?

A: None were needed

Q: Is there anything else you would like to add to this statement at this time?

A. No.///END OF STATEMENT// (b)(6)(b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)

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EXHIBIT 36

STATEMENT OF: (b)(6)(b)(7)(C) TAKEN AT: Kabul CID Office; DATED: December 14, 2011 (CONTINUED)

## AFFIDAVIT

(b)(6)(b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b)(6)(b)(7)(C)

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

Subscribed and sworn to before me, a person authorized by law to administer oath, this December 14, 2011, at Kabul, Afghanistan.

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

(h)

Special Agent (b)(6)(b)(7)(C)  
Kabul CID Office  
22<sup>nd</sup> Military Police BN (CID)  
USACIDC, Camp Phoenix, Kabul, Afghanistan, APO AE 09320

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

WITNESS:

WITNESS:

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INITIALS OF PERSON MAKING STATEMENT

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

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EXHIBIT 36



## Exhibit 37

Page(s) 000118 withheld.

5 U.S.C. § 552(b)(6), (b)(7)(C)  
Third Party Information

AGENT'S INVESTIGATION REPORT

0906-11-CID023-43647

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS:

About 1600, 21 Dec 11, this office received email from SA (b)(6)(b)(7)(C) NCIS, Los Angeles Field Office, who stated she conducted interview of SGT (b)(6)(b)(7)(C) on 20 Dec 11, wherein he stated he had no knowledge of the incident in question and thought very highly of MAJ GOLSTEYN and his team. SGT (b)(6)(b)(7)(C) identified two additional Marines from the 3D Anglico Marines. SGT (b)(6)(b)(7)(C) (NFI) and SGT (b)(6)(b)(7)(C) (NFI). SA (b)(6)(b)(7)(C) stated SGT (b)(6)(b)(7)(C) TS'd on 6 Aug 10 and had a forwarding address and phone number in New Mexico that she would follow up on.

AGENT'S COMMENTS: SA (b)(6)(b)(7)(C) further stated SGT (b)(6)(b)(7)(C) was currently out of the area and would return on 26 Dec 11, wherein she would interview him at that time.

About 0630, 22 Dec 11, SA (b)(6)(b)(7)(C) emailed SA (b)(6)(b)(7)(C) and verified SGT (b)(6)(b)(7)(C) currently resides at (b)(6)(b)(7)(C) with a phone number of (b)(6)(b)(7)(C). SGT (b)(6)(b)(7)(C) is employed by II Corps Consultants, aboard the Naval Amphibious Base in Norfolk, VA. SA (b)(6)(b)(7)(C) stated she would send an RFA email to her office in Norfolk to conduct interview of SGT (b)(6)(b)(7)(C).

About 0820, 27 Dec 11, this office received the Final Information Report, Case #1038-11-CID034, from the Fort Hood CID Office, P.O. Box V, 2200 Support Avenue, Fort Hood, TX 76544, which contained the Agent's Investigation Report of SA (b)(6)(b)(7)(C) wherein related SSG (b)(6)(b)(7)(C) had obtained legal counsel and would not assist with the investigation.

About 0900, 27 Dec 11, this office received the Final Information Report, Control Number: 22NOV11-MWMM-0108-7HMA/C, from SA (b)(6)(b)(7)(C) NCIS Resident Agency, Miramar, P.O. Box 452138, San Diego, CA 92145 via Certified Mail: 70101670000230274031, which contained: SA (b)(6)(b)(7)(C) narrative of all investigative activity, additional interview requests submitted to outside NCIS offices, background results of MAJ (b)(6)(b)(7)(C) narrative of MAJ (b)(6)(b)(7)(C) interview, and disc containing video interview of MAJ (b)(6)(b)(7)(C). See Sworn Statement and Video for further details)///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Bragg CID Office, 8-1221 Randolph Street  
Fort Bragg, NC 28310-8310

SIGNATURE

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

DATE

27 Dec 11

EXHIBIT

38

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

1038-11-CID034

PAGE 1 OF 1 PAGE(S)

## DETAILS

**BASIS FOR INVESTIGATION:** This office received a Request For Assistance from the Fort Bragg CID office, 0906-11-CID023-43647, to ID and interview SSC (b)(6)(b)(7)(C) US Army Special Operations Command (USASOC), Fort Bragg, NC 28310 (FBNC), currently in the Individual Ready Reserve, home address of (b)(6)(b)(7)(C)

About 1727, 8 Dec 11, SA (b)(6)(b)(7)(C) was contacted by Mr. (b)(6)(b)(7)(C) Attorney, Fitzpatrick, Hagood, Smith & Uhl LLP, 2515 McKinney Avenue, Suite 1400, Dallas, TX 75201, who related he was the attorney representing Mr. (b)(6)(b)(7)(C) and not to make anymore attempts to contact Mr. (b)(6)(b)(7)(C) directly. Mr. (b)(6)(b)(7)(C) related any questions or possible interviews were to be scheduled through him.

About 0838, 9 Dec 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) Fort Bragg CID office, who related no further investigative activity was required from this office.

**STATUS:** This action has been closed in the files of this office. Any additional Requests For Assistance will be opened under a subsequent sequence number.///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

43<sup>rd</sup> MP Det (CID), Fort Hood CID Office, Fort Hood TX 76544

SIGN

DATE

9 Dec 11

EXHIBIT

39



EXHIBIT(s) 40 and 41

Page(s) 000121 thru 000123 referred to:

Naval Criminal Investigative Service  
Headquarters (Code 00LJF)  
27130 Telegraph Road  
Quantico, VA 22134-2253

AGENT'S INVESTIGATION REPORT

0906-11-CID023-43647

CID Regulation 195-1

PAGE 1 OF 1 PAGE

DETAILS:

About 0815, 4 Jan 12, this office received the Final Information Report, Case #0281-11-CID369, from Bagram CID Office, Bagram Air Field, Afghanistan, APO AE 09354, which contained the AIR of SA (b)(6)(b)(7)(C) wherein detailed requested individuals for interview were in Kandahar CID Office Area of Operation (AOR).

About 0930, 17 Jan 12, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) Headquarters, G-3, Investigative Operations Division, USACIDC, Russell-Knox Building, 27130A Telegraph Road, Quantico, VA 22134, who related he had coordinated with [REDACTED]

About 0900, 18 Jan 12, this office received the Final Information Report, Control Number: 22NOV11-MWMM-0108-7HMA/C, from SA (b)(6)(b)(7)(C) Naval Criminal Investigative Service Seal Beach Field Office, Los Angeles, CA, which contained the interview results of SGT (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) 3rd Air Naval Gunfire Company, 5631 Rickenbacker Road, Bell, CA, 90201, and Mr. (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) SGT (b)(6)(b)(7)(C) and Mr. (b)(6)(b)(7)(C) were both Marines from the 3rd Anglico Marforres with CPT (b)(6)(b)(7)(C) and conducted operations in Marjeh District in Feb 10 with ODA-3121. SGT (b)(6)(b)(7)(C) and Mr. (b)(6)(b)(7)(C) related they never seen or heard of inappropriate or unethical decisions or actions of MAJ GOLSTEYN and related he was an exceptional leader. SGT (b)(6)(b)(7)(C) stated if a murder occurred, that it would have probably been done by the Afghani National Army, but they had no information if anything occurred. (See Agent's Documented Statement for further details)

About 1015, 20 Jan 12, this office received the Final Information Report, Control Number: 03JAN12-NFLC-0001-7HMA/C, from the Naval Criminal Investigative Service Field Office Norfolk, 1329 Bellinger Road, Norfolk, VA 23511, of the interview of SGT (b)(6)(b)(7)(C) II Corps Consultant Incorporated, Joint Expeditionary Base Little Creek-Fort Story, Virginia Beach, VA. SGT (b)(6)(b)(7)(C) stated he had been a Marine attached with ODA-3121 in the Marjeh District in Feb 10, and worked closely with MSG (b)(6)(b)(7)(C) during his tour at Thuderdome Base Camp. SGT (b)(6)(b)(7)(C) stated he was engaged with enemy insurgents approximately 500 meters away from explosion which killed the two Marines and had no personal knowledge of what occurred. SGT (b)(6)(b)(7)(C) further related MAJ GOLDSTEYN appeared to be a strong leader whom he never seen engage in any unethical actions and stated he never knew of anyone ever being questioned by MAJ GOLSTEYN or other members of the team. (See Agent's Documented Statement for further details)///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Bragg CID Office, 8-1221 Randolph Street  
Fort Bragg, NC 28310-8310

SIC (b)(6)(b)(7)(C)

DATE  
20 Jan 12

EXHIBIT

42

CID Regulation 195-1

PAGE 1 OF 1 PAGES

**BASIS FOR INVESTIGATION:** This office received a Request for Assistance from the Fort Bragg CID Office, 8-1221 Randolph Street, Fort Bragg, NC, 28301, to locate, fully identify, interview and obtain Sworn Statements from SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) and SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) all 1<sup>st</sup> Battalion, 3<sup>rd</sup> Special Forces Group, Fort Bragg, NC.

About 0955, 9 Dec 11, SA (b)(6)(b)(7)(C) coordinated with LCDR (b)(6)(b)(7)(C) Staff Judge Advocate, Combined Forces Special Operations Component Command, Afghanistan, who related SSG (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) and SFC (b)(6)(b)(7)(C) are assigned to Bagram Airfield, but are physically located at Camp Morehead.

About 1050, 9 Dec 11, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) Team Chief, Fort Bragg CID Office, and informed him that the RFA was forwarded to the Kabul CID Office for action. SA (b)(6)(b)(7)(C) stated no further investigative activity was needed by this office.///LAST ENTRY///

(b)(6)(b)(7)(C)  
Special Agent, (b)(7)(E)

Bagram CID Office, Bagram Airfield  
Afghanistan, APO AE 09354

Signature:

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

Date: 9 Dec 11

Exhibit:

43

CID FORM 94-E

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PROTECTIVE MARKING IS EXCLUDED FROM AUTOMATIC TERMINATION (Para 13, AR 340-16)(When Data is Entered)



EXHIBIT(s) 44 thru 46

Page(s) 000126 thru 000138 referred to:

Naval Criminal Investigative Service  
Headquarters (Code 00LJF)  
27130 Telegraph Road  
Quantico, VA 22134-2253

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

CID Regulation 195-1

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PAGE 1 OF 2 PAGE(S)

DETAILS

About 1500, 27 Jan 12, SA (b)(6)(b)(7)(C) interviewed SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Bravo Company, 1<sup>st</sup> Battalion, 3<sup>rd</sup> Special Forces Group, FBNC, who provided a verbal statement wherein he related he was deployed in support of Operation Enduring Freedom from approximately Jan 10-Jul 10. SSG (b)(6)(b)(7)(C) related his team members, to his knowledge, consisted of: MAJ GOLSTEYN, MSG (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) and SSG (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C) identified the only attached personnel he could remember was a person by the name of (b)(6)(b)(7)(C) (NFI), who was a vehicle mechanic. SSG (b)(6)(b)(7)(C) related his element's main Forward Operating Base (FOB) was FOB Thunder Dome located in Morijah, Afghanistan. SSG (b)(6)(b)(7)(C) related his element's main mission was to help the United States (U.S.) Marines drive back the Taliban and improve relations with coalition forces. SSG (b)(6)(b)(7)(C) related the only interpreter's name he could recall was an individual by the name of (b)(6)(b)(7)(C) (NFI), who was a local national. SSG (b)(6)(b)(7)(C) related there was a firefight in the general area near the Bazaar on 15 Feb 10 and there was a "booby trap" located on the Bazaar's door which killed two U.S. Marines. SSG (b)(6)(b)(7)(C) related Morijah was full of Improvised Explosive Devices (IED)s and the two U.S. Marines who were killed were Explosive Ordinance Disposal (EOD) technicians. SSG (b)(6)(b)(7)(C) related his team was already in a gunfight when this happened and gunfire went in his direction. SSG (b)(6)(b)(7)(C) related he formed a team of Afghanistan soldiers and drove Taliban fighters to the North. SSG (b)(6)(b)(7)(C) related the fighting ensued for approximately two to four hours and its conclusion, he could not see any enemy killed in action fighters or prisoners of war. SSG (b)(6)(b)(7)(C) related when the fighting stopped, he set up a security post for about a hour and a half and then returned within close proximity of the Bazaar area. SSG (b)(6)(b)(7)(C) related he did not see any prisoners of war or captured fighters when he returned to FOB Thunder Dome. The following dialog took place after the narrative above:

Q. SA (b)(6)(b)(7)(C)

A. SSG (b)(6)(b)(7)(C)

Q. Do you know an individual by the name of (b)(6)(b)(7)(C)?"

A. No.

Q. What unit were you assigned to during this deployment?

A. B. Co, 1/3<sup>rd</sup> SFG, FBNC.

Q. Where FOB were you located at during the majority of your deployment?

A. FOB Thunder Dome.

Q. Do you know know of any wrong doing performed on the person named (b)(6)(b)(7)(C) by MAJ GOLSTEYN?

A. No, I do not. MAJ GOLSTEYN could not have done something like this.

Q. How many missions did your team usually perform on a daily basis?

A. Approximately two to three to include walking patrols.

Q. Did you have a burn pit in FOB Thunder Dome?

A. Yes.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

DATE

27 JAN 12

EXHIBIT

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

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PAGE 2 OF 2 PAGE(S)

DETAILS

A. No, I do not. That is the craziest thing I ever heard.

Q. Why would someone say this happened when it did not?

A. I do not know, maybe a disgruntled interpreter I guess. We had to fire a lot of them when they did not perform their jobs correctly.

Q. How often did you have to pull security in FOB Thunder Dome?

A. Daily, for about an hour shift.

Q. Do you ever recall the smell of burning flesh emitting from the burn pit?

A. No.

Q. Who would have handled a detainee if one was captured during a firefight?

A. (b)(6)(b)(7)(C) (NFI), or somebody like that. I cannot remember his last name.

Q. Do you know MAJ GOLSTEYN?

A. Yes, I worked with him for two years and we still hang out occasionally. I have known him for about four years though. I have never observed any unprofessional conduct.

Q. Do you know of any emotional problems he may have had or currently have?

A. No.

Q. Who would detain an enemy that was captured during a firefight?

A. The Afghanistan National Army Soldiers would detain an enemy if found.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

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

DATE

27 JAN 12

EXHIBIT

47

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

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PAGE 1 OF 4 PAGE(S)

DETAILS

About 0815, 10 Feb 12, SA (b)(6)(b)(7)(C) received email Information Report from SA (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) Kandahar CID Office, wherein he related the identification of (b)(6)(b)(7)(C) through the local interpreters office met with negative results. SA (b)(6)(b)(7)(C) emailed back and asked him to look for SSG (b)(6)(b)(7)(C) name, because he actually signed for him. SA (b)(6)(b)(7)(C) further detailed plans for a local Shura meeting by the new unit who emplaced at FOB MCQUEARY, but no timeline has been identified as of yet.

About 0925, 13 Feb 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) Kandahar CID Office, KAF, coordinated via email on IP requested of their office by SA (b)(6)(b)(7)(C) SA (b)(6)(b)(7)(C) requested:

1. Interviews of ANA personnel assigned with ODA-3121 to ascertain if they conducted interrogations and to determine if they had information pertaining to information CPT GOLSTEYN related.

2. Coordination for meeting with local village elders and Shura's regarding identification of (b)(6)(b)(7)(C), (b)(6)(b)(7)(C) other Afghani Nationals missing from that timeframe, and relationship with ODA-3121 and CPT GOLSTEYN.

3. Identification of interpreter mainly utilized by CPT GOLSTEYN.

About 0845, 15 Feb 12, SA (b)(6)(b)(7)(C) attempted to conduct interview of SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) wherein SSG (b)(6)(b)(7)(C) advised SA (b)(6)(b)(7)(C) he would not provide a statement or assist this investigation.

About 0830, 21 Feb 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIG (b)(6)(b)(7)(C)

DATE

29 FEB 12

EXHIBIT

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PAGE 2 OF 4 PAGE(S)

AGENT'S COMMENTS:

About 1335, 22 Feb 12, SA (b)(6)(b)(7)(C) conducted a telephonic interview of Mr. (b)(6)(b)(7)(C) who was part of the Human Intelligence (HUMINT) team with CPT GOLSTEYN in Feb 10. Mr. (b)(6)(b)(7)(C) confirmed he

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGN (b)(6)(b)(7)(C)

DATE

29 FEB 12

EXHIBIT

48

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AGENT'S INVESTIGATION REPORT

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PAGE 3 OF 4 PAGE(S)

DETAILS

questioned an unknown Afghani man that the ANA had captured approximately three days after the IED explosion which killed LCPL JOHNSON and SGT MCQUEARY. Mr. (b)(6)(b)(7)(C) stated he questioned the man in the courtyard of FOB MCQUEARY, but he left to assume control over there fighting position and one of the ODA members continued the questioning. Mr. (b)(6)(b)(7)(C) could not recall the name of the captured terrorist, the village elder, or the purpose the man was detained.

About 1745, 28 Feb 12, SA (b)(6)(b)(7)(C) briefed CPT (b)(6)(b)(7)(C) Chief, Military Justice, US Army Special Forces Command, FBNC, on the status of the investigation and

About 1045, 29 Feb 12, SA (b)(6)(b)(7)(C) conducted full briefing with LTC (b)(6)(b)(7)(C) Commanding Officer, 2nd Combat Engineer Battalion, Camp Lejeune, NC 28542 (CLNC), who coordinated for the interviews of Marines assigned to the 2nd CEB in the battalion conference room.

About 1115, 29 Feb 12, SA (b)(6)(b)(7)(C) conducted re-interview of GySgt (b)(6)(b)(7)(C) who related the identified chain of events explained by CPT GOLSTEYN could not have occurred without everyone pulling security being notified. GySgt (b)(6)(b)(7)(C) further stated the access gate for the FOB was in direct eyesight of the Marine security element on the second floor of Thunderdome building, wherein whoever wanted to leave notified the security, who would make radio contact with the Combat Operations Center (COC) on the first floor. The COC Marine would walk outside, move the concertina wire, take two by four wood blocks off gate so it could open, and notify the ANA asset on the road who would need to move their two military vehicles for a vehicle to leave the compound. GySgt (b)(6)(b)(7)(C) further related shots fired within a few kilometers would have been heard, even with silencing equipment. GySgt (b)(6)(b)(7)(C) stated the only informant he could recall was a man named (b)(6)(b)(7)(C) but he had been captured by a separate ODA and Ranger element in Apr 10 for unknown reasons. GySgt (b)(6)(b)(7)(C) could not recall anyone ever being brought back to the compound and had no information pertaining to the investigation.

AGENT'S COMMENTS: GySgt (b)(6)(b)(7)(C) advised SA (b)(6)(b)(7)(C) that he has continued correspondence with CPT GOLSTEYN and the previous week he asked CPT GOLSTEYN if wanted to get together to go to the range, wherein CPT GOLSTEYN told him "Let's wait and let this thing pass over."

About 1150, 29 Feb 12, SA (b)(6)(b)(7)(C) interviewed SSG (b)(6)(b)(7)(C) XXX-X (b)(6)(b)(7)(C) Utilities Support Company, 2nd CEB, CLNC, who stated he was the generator mechanic and electrician for FOB MCQUEARY. SSG (b)(6)(b)(7)(C) stated he never went on patrols or seen any detainees on the installation. SSG (b)(6)(b)(7)(C) stated he only spoke with CPT GOLSTEYN when he requested supplies for his job and had no information pertaining to this investigation.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

29 FEB 12

EXHIBIT

48



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AGENT'S INVESTIGATION REPORT

ROI NUMBER

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*CID Regulation 195-1*

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PAGE 4 OF 4 PAGE(S)

DETAILS

About 1205, 29 Feb 12, SA (b)(6)(b)(7)(C) interviewed SGT (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Alpha Company, 2nd CEB, and CPL (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Mobility Assault Company, 2nd CEB, CLNC, who both related they had never seen an insurgent captured and had no knowledge of the events within the investigation. CPL (b)(6)(b)(7)(C) did state there was an intelligence Soldier who worked on the first floor of Thunderdome who ran the High Value Target (HVT) documentation, but only knew him as (b)(6)(b)(7)(C) NFI and was a SGT. SGT (b)(6)(b)(7)(C) and CPL (b)(6)(b)(7)(C) stated they could not recall an incident when a detainee was released and a vehicle left shortly afterwards, and stated they would remember the situation because of the procedures for opening the main gate.

About 1250, 29 Feb 12, SA (b)(6)(b)(7)(C) interviewed Corpsmen (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Headquarters and Service Company, SEABEES Battalion, CLNC, who related he served as one of the medical personnel for patrol missions for the military and local civilians. Corpsmen (b)(6)(b)(7)(C) stated approximately four days after the explosion which killed SGT JOHNSON and SGT MCQUEARY, their entire element, too include, ANA, ODA, and the Marines went to a village known to have a four to eight man insurgent cell who were responsible for the IED attacks within Marjeh District. Corpsmen (b)(6)(b)(7)(C) related while they conducted foot patrol and knock and talks within the identified village, CPT GOLSTEYN and additional members of his ODA had captured an individual. CPT GOLSTEYN walked with the detainee and questioned him and then walked over to the village elder's home. Corpsmen (b)(6)(b)(7)(C) stated an agreement was made between CPT GOLSTEYN and the village elder and the entire military element mounted back up into vehicles and returned to FOB MCQUEARY. Corpsmen (b)(6)(b)(7)(C) could not recall if CPT GOLSTEYN went back to the village elder's home, but stated he only saw what occurred and SGT (b)(6)(b)(7)(C) was the one who explained to him all that had occurred.

AGENT'S COMMENTS: Corpsmen (b)(6)(b)(7)(C) stated he kept detailed notes while deployed, but could not recall where they may be located since it had been two years. SA (b)(6)(b)(7)(C) requested Corpsmen (b)(6)(b)(7)(C) to locate the notes and contact this office.

About 1330, 29 Feb 12, SA (b)(6)(b)(7)(C) was notified by LTC (b)(6)(b)(7)(C) of the location of additional personnel for requested interviews:

- SGT (b)(6)(b)(7)(C) ETS)
- SSG (b)(6)(b)(7)(C) 8th ESB, CLNC)
- SGT (b)(6)(b)(7)(C) 8th ESB)
- SSG (b)(6)(b)(7)(C) Unknown)///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

29 FEB 12

EXHIBIT

48

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

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PAGE 1 OF 1 PAGE(S)

DETAILS

About 0955, 8 Mar 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) Kandahar CID Office, KAF, coordinated via NIPR regarding the status of this investigation. SA (b)(6)(b)(7)(C) related information had been relayed to the current Marine Commander on ground at FOB MCQUEARY for use during Shura meetings. SA (b)(6)(b)(7)(C) stated he had coordinated with SF Command at KAF regarding records from Feb 10, but his office was notified the majority of all records were lost due to a server crash. SA (b)(6)(b)(7)(C) related he was in the process of identifying an Agent to fly to FOB MCQUEARY for further investigative activity. SA (b)(6)(b)(7)(C) advised SA (b)(6)(b)(7)(C) re-interviews of ODA members on Fort Bragg were in hiatus waiting on intelligence his office could obtain through weekly Shura meeting. SA (b)(6)(b)(7)(C) stated despite his case load that he would attempt to complete all investigative activity in a timely fashion.

About 1110, 26 Mar 12, this office received the Final Information Report, Case #0117-12-CID016, from the Fort Lewis CID Office, 5647 N. Division Street, Joint Base Lewis McChord, Washington 98433, which contained the AIR of SA (b)(6)(b)(7)(C) Sworn Statement of MAJ (b)(6)(b)(7)(C) and CID Form 44 of MAJ (b)(6)(b)(7)(C) (See Sworn Statement for further details)//LAST ENTRY//

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE (b)(6)(b)(7)(C)

DATE

26 MAR 12

EXHIBIT

49

CID FC

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000145



# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER (0906-11-CID023-43647)  
0117-2012-CID016

PAGE 1 OF 1 PAGES

## DETAILS

**BASIS FOR INVESTIGATION:** On 13 Feb 12, this office received a request for assistance from the Fort Bragg CID Office, Fort Bragg, NC 28310 (FBNC), to conduct an interview of MAJ (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 1<sup>st</sup> Special Forces Group, Joint Base Lewis-McChord, WA 98433, concerning his relation to CPT Matthew L. GOLSTEYN, XXX-XX (b)(6)(b)(7)(C) JS Army Special Operations Command (USASOC), FBNC, who allegedly committed war crimes while deployed.

About 0830, 14 Feb 12, SA (b)(6)(b)(7)(C) interviewed MAJ (b)(6)(b)(7)(C) who stated he was the Area Operations Battalion Commander and CPT GOLSTEYN's unit was attached to him for approximately 6 months. MAJ (b)(6)(b)(7)(C) stated CPT GOLSTEYN's Operational Detachment Alpha (ODA) arrived to the objective via a ground assault convoy with his Afghan National Army counterparts within 24-48 hours of the fighting. According to MAJ (b)(6)(b)(7)(C) the only time he had extensive physical contact with CPT GOLSTEYN was for one week or so during the initial fighting and sporadic contact afterwards. MAJ (b)(6)(b)(7)(C) related while deployed, he had not heard about CPT GOLSTEYN being involved in any kind of illegal killings of insurgents. MSG (b)(6)(b)(7)(C) (ODA Team SGT) and (b)(6)(b)(7)(C) (NFI) were the only names MAJ (b)(6)(b)(7)(C) could remember of being on CPT GOLSTEYN's team. (See Sworn Statement)

About 1016, 14 Feb 12, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) Fort Bragg CID Office, FBNC, who stated no further investigative activity was required from this office.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6)(b)(7)(C), (b)(7)(E)		44 <sup>th</sup> Military Police Detachment (CID) Joint Base Lewis-McChord, WA 98433	
SIGNATURE	(b)(6)(b)(7)(C)	DATE	EXHIBIT
		14 Feb 12	50



# SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is PMG.

0906-12-C1D023-43647

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION 44th MP Det (CID), JBLM, WA 98383	2. DATE 2012/02/14	3. TIME 0940	4. FILE NUMBER 0117-12-C1D016-
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)(b)(7)(C)	6. SSN 000-00-(b)(6)(b)(7)(C)	7. GRADE/STATUS O4/AD	
8. ORGANIZATION OR ADDRESS 1st Special Forces Airborne Battalion, Joint Base Lewis-McChord, WA 98433			

9. I, (b)(6)(b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I knew CPT GOLSTEYN from spring of 2009 until now. In Feb 2010 I was an Area Operations Battalion (AOB) Commander (CDR) and CPT Golsteyn's Operational Detachment Alpha (ODA) attached to me for at least 6 months. As the ground force commander during the initial assault into Marjah I maintained a position in vicinity of an intersection and building in southern Marjah. CPT GOLSTEYN's element arrived to the Objective via a Ground Assault Convoy with his Afghan National Army (ANA) counterparts within 24-48HRs of the HAF. The only time I had extensive physical contact with CPT GOLSTEYN was for one week or so during the initial fighting and sporadic contact afterwards. After the first week or so the heaviest fighting was over in Marjah. The incident where the IED killed the two marine soldiers was a few weeks after the initial assault. CPT GOLSTEYN received the usual predeployment briefing from his chain of CMD on handling of detainees. If CPT GOLSTEYN had any detainees he most likely would have processed them thru his Command Post location (FOB McQueery) for follow on movement thru the Marine Brigade Squad Operations or back thru the AOB/Special Operations Task Force Headquarters. I do not remember any detainees coming from CPT GOLSTEYN while we were in combat operations. CPT GOLSTEYN's team was not specifically assigned as a detainee team but had been briefed on the procedures and expectations in the handling and treatment of detainees. While deployed I had not heard about CPT GOLSTEYN involved in any kind of illegal killings of insurgents. When I had gotten back I had read a book that had been written about CPT GOLSTEYN by Bing West and he had mentioned toasting to the Marines that had been killed in Marjah. It mentioned that the team members that were with him participated in the toast to the fallen, but I am not sure of what time it was. At the time a Marine Engineer section and Marine Agnlico Team (Close Air Support Team) was attached to CPT GOLSTEYN's team (TM). I'm unaware if there was any kind of situations where insurgents were mistreated. MSG (b)(6)(b)(7)(C) (ODA TM SGT) and (b)(6)(b)(7)(C) MOS18B7, NFI) is the only names I can remember of being on CPT GOLSTEYN's team at this time.

Q. SA (b)(6)(b)(7)(C)  
A. MAJ (b)(6)(b)(7)(C)

Q. Were you aware of this or any other misconduct from his unit while deployed?

A. While reading Bing West's book I read the paragraph from Bing West that talked about an alcohol related incident of CPT Golsteyn and his team with attached Marines drinking a toast of Jack Daniels the their fallen brothers while deployed.

Q. Were you involved in the shooting of any unarmed combatants which CPT GOLSTEYN was a part of?

A. No.

Q. Were you aware of any other soldiers involved in this incident after it occurring?

A. No.

Q. What was your daily interaction with CPT GOLSTEYN like while deployed?

A. Physically present for the first portion of the operation, afterwards was only radio or cell communications with periodic physical face to face coordinations at his location.

10. EXHIBIT	11. INITIALS (b)(6)(b)(7)(C) MAKING STATEMENT	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

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

TAKEN AT JBLM, WA 98433

DATED 2012/02/14

9. STATEMENT (Continued)

0906-12-C10023-43647

Q. Do you know of anyone else possessing any knowledge about this incident?

A. If anybody else would know maybe some of the guys on his team.

Q. How many teams and attached soldiers were you in charge of as the ground force commander?

A. AOB 1220, 3 x USSF ODA's, and a few hundred Afghan CDOs and Afghan Regular Army (ANA) counterparts.

Q. Who was the Marine Commander at the time?

A. COL (b)(6)(b)(7)(C) (NFI)

Q. How much interaction do you know CPT GOLDSTEYN had with the Marines attached to him?

A. CPT GOLDSTEYN was assigned as a TACON like relationship with the Marines in clearing objectives.

Q. DO you remember the unit names of the attached marines to CPT GOLDSTEYN's team?

A. 7th Regimental Combat Team, COL (b)(6)(b)(7)(C) and GEN (b)(6)(b)(7)(C) was overall in charge.

Q. Was COL (b)(6)(b)(7)(C) heavily involved in the fighting?

A. No, he visited units but was not directly involved in operations.

Q. Have you heard of any units killing potential insurgents without processing them as detainees?

A. Not unless it was during a engagement.

Q. Do you have anything to add to this statement?

A. No//LAST ENTRY/(b)(6)(b)(7)(C)

AFFIDAVIT

I, (b)(6)(b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b)(6)(b)(7)(C)

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of February, 2012 at JBLM, WA 98433

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

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)

PAGE 2 OF 2 PAGES



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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

CID Regulation 195-1

Contents cannot be released outside law enforcement or Dept of the Army  
channels without the approval of the Commander, USACIDC

PAGE 1 OF 2 PAGE(S)

DETAILS

About 1255, 10 Apr 12, SA (b)(6)(b)(7)(C) contacted MAJ (b)(6)(b)(7)(C) XX-XX (b)(6)(b)(7)(C) Special Operations Command, Fort Benning, GA, who stated he had heard of CPT GOLSTEYN, but could not pick him out of a line-up. MAJ (b)(6)(b)(7)(C) stated he believed this to be mistaken identity and could not assist this investigation.

About 1430, 11 Apr 12, SA (b)(6)(b)(7)(C) interviewed LTC (b)(6)(b)(7)(C) XX-XX (b)(6)(b)(7)(C) Military Assistant (MA), Office of the Secretary of the Army (SECARMY), Pentagon, 1400 Defense Pentagon, Washington D.C. 20301, who stated he assumed command of 1st Battalion, 3rd Special Forces Group, FBNC, on 28 Aug 09. LTC (b)(6)(b)(7)(C) stated CPT GOLSTEYN and Bravo Company departed FBNC in Jan 10 as a company asset and was designated to be attached to Marine Corps element. LTC (b)(6)(b)(7)(C) stated he was not forward deployed with CPT GOLSTEYN at any time, but replaced his element in Jul 10. MAJ (b)(6)(b)(7)(C) served as LTC (b)(6)(b)(7)(C) "eyes and ears" in Afghanistan, and was CPT GOLSTEYN's first line supervisor. LTC (b)(6)(b)(7)(C) stated CPT GOLSTEYN and MAJ (b)(6)(b)(7)(C) had a deteriorating relationship, due to CPT GOLSTEYN feeling he had become untouchable. LTC (b)(6)(b)(7)(C) stated CPT GOLSTEYN began as the top ten percent of Special Forces Captains, was smart, physically fit, and willing to provide valid input. LTC (b)(6)(b)(7)(C) stated CPT GOLSTEYN began to change his demeanor and became arrogant, pompous, and insubordinate to many. LTC (b)(6)(b)(7)(C) advised CPT GOLSTEYN had become insubordinate when he had contacted LTC (b)(6)(b)(7)(C) and requested to attend Advanced Special Operations Training (ASOT) at Camp McCall, NC, wherein LTC (b)(6)(b)(7)(C) advised CPT GOLSTEYN the course reservations were designated for individuals like Senior NCO's who would be with the team for extensive time period. CPT's usually conduct a two year term as Commander of a team and then move to staff positions, but LTC (b)(6)(b)(7)(C) received discouraging emails from CMD as to why CPT GOLSTEYN was in ASOT. LTC (b)(6)(b)(7)(C) stated CPT GOLSTEYN felt above everyone and could say or do anything without retribution and was always looking for a better place to go.

AGENT'S COMMENTS: When asked by SA (b)(6)(b)(7)(C) whether he believed CPT GOLSTEYN committed the offense of Murder, LTC (b)(6)(b)(7)(C) stated he would hope not but would not doubt it either because of CPT GOLSTEYN's attitude.

About 1620, 11 Apr 12, SA (b)(6)(b)(7)(C) re-interviewed CPT (b)(6)(b)(7)(C) regarding the mission conducted a few days after the explosion which killed SGT MCQUEARY and LCPL JOHNSON, wherein an insurgent was captured and taken to the village elder's residence by CPT GOLSTEYN and his team. CPT (b)(6)(b)(7)(C) stated he could recall conducting a foot patrol a few days afterwards and being at a mosque, because he was scolded by an Afghanistan National Army (ANA) Soldier for leaning on the mosque. CPT (b)(6)(b)(7)(C) stated he had no memory of the purpose of the foot patrol and there was no briefing about a four to eight man cell operation within the area. CPT (b)(6)(b)(7)(C) stated from his previous interview that he had no knowledge of the incident described by CPT GOLSTEYN and could provide no further assistance to this investigation.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE  
(b)(6)(b)(7)(C)

DATE

16 APR 12

EXHIBIT

52

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

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PAGE 2 OF 2 PAGE(S)

DETAILS

About 0900, 16 Apr 12, SA (b)(6)(b)(7)(C) was contacted by MAJ (b)(6)(b)(7)(C) who advised he would be unable to come to this office for an interview because he was advised by legal to cease all assistance with this investigation. MAJ (b)(6)(b)(7)(C) stated he is currently under investigation by his unit for personal issues and stated he would provide a statement once his investigation was completed.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

16 APR 12

EXHIBIT

52

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

CID Regulation 195-1

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PAGE 1 OF 2 PAGE(S)

DETAILS

About 0800, 30 Apr 12, SA (b)(6)(b)(7)(C) was contacted by SSG (b)(6)(b)(7)(C) who stated SA (b)(6)(b)(7)(C) email was forwarded to him by his attorney. SA (b)(6)(b)(7)(C) requested an interview with SSG (b)(6)(b)(7)(C) and his attorney, wherein SSG (b)(6)(b)(7)(C) continually asked what information SA (b)(6)(b)(7)(C) had and wanted to speak to him about. SA (b)(6)(b)(7)(C) advised SSG (b)(6)(b)(7)(C) information could not be provided telephonically and requested a sit-down, wherein SSG (b)(6)(b)(7)(C) advised to get ahold of his attorney and he might conduct an interview.

About 1225, 7 May 12, SA (b)(6)(b)(7)(C) contacted Mr. (b)(6)(b)(7)(C) who stated he was the interpreter with CPT GOLSTEYN in Feb 10. Mr. (b)(6)(b)(7)(C) stated he was currently in Kansas but would be in San Diego, CA on 8 May 12 for an undisclosed amount of time. Mr. (b)(6)(b)(7)(C) stated he would agree to be interviewed and provided a good phone number and email address to reach him in San Diego.

Phone Number: (b)(6)(b)(7)(C)

Email (b)(6)(b)(7)(C) @gmail.com

About 1520, 7 May 12, SA (b)(6)(b)(7)(C) telephonically interviewed COL (b)(6)(b)(7)(C) XXX-XX- (b)(6)(b)(7)(C) Director of Staff Training, Quantico, VA 22134, who stated he was the on-ground Regimental Commander and a close friend of CPT GOLSTEYN. COL (b)(6)(b)(7)(C) stated he remembered Mr. (b)(6)(b)(7)(C) and an (b)(6)(b)(7)(C) but he also went by a variety of other names he could not recall. COL (b)(6)(b)(7)(C) stated he knew Mr. (b)(6)(b)(7)(C) worked with Coalition Forces and with the Taliban and that he and Mr. (b)(6)(b)(7)(C) were constantly on FOB MCQUEARY. COL (b)(6)(b)(7)(C) stated CPT GOLSTEYN did beat himself up emotionally over the death of SGT MCQUEARY and LCPL JOHNSON, but heard nothing of the incident in question. COL (b)(6)(b)(7)(C) advised he did not know who CPT (b)(6)(b)(7)(C) or CPT (b)(6)(b)(7)(C) were, who were two additional military members mentioned by CPT GOLSTEYN in his book review of the "Wrong War" by Bing WEST.

About 0935, 9 May 12, SA (b)(6)(b)(7)(C) contacted Mrs. (b)(6)(b)(7)(C) XXX-XX- (b)(6)(b)(7)(C) (Dependant Spouse of MAJ (b)(6)(b)(7)(C) XXX-XX- (b)(6)(b)(7)(C) 1st Battalion, 75th Ranger Regiment, Hunter Army Airfield, GA 31409), who advised MAJ (b)(6)(b)(7)(C) is currently deployed and he was the "CPT (b)(6)(b)(7)(C) mentioned in Bing WEST's book, "The Wrong War." Mrs. (b)(6)(b)(7)(C) provided SA (b)(6)(b)(7)(C) an email address of (b)(6)(b)(7)(C)@gmail.com", which was the way she contacted him and SA (b)(6)(b)(7)(C) requested Mrs. (b)(6)(b)(7)(C) provide MAJ (b)(6)(b)(7)(C) contact information if she spoke to him first.

About 1045, 9 May 12, SA (b)(6)(b)(7)(C) conducted a re-interview of SFC (b)(6)(b)(7)(C) who provided a verbal statement, wherein he stated he recalled a mission that CPT GOLSTEYN directed to go to a mosque a few days after the explosion that killed LCPL JOHNSON and SGT MCQUEARY, but he was not privy to the

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGN (b)(6)(b)(7)(C)

DATE

10 MAY 12

EXHIBIT

53

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

CID Regulation 195-1

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PAGE 2 OF 2 PAGE(S)

DETAILS

information. SFC (b)(6)(b)(7)(C) stated his primary duty was the sniper on the crow's nest and he did not usually conduct missions with the team. SFC (b)(6)(b)(7)(C) further stated that story CPT GOLSTEYN gave about the release of (b)(6)(b)(7)(C) in the early morning hours, following him approximately 20-30 minutes later, and shooting him, could not have occurred because nobody could leave the base without he, the Radio Transmission Officer (RTO), and the Operations Center being notified.

AGENT'S COMMENTS: SFC (b)(6)(b)(7)(C) related SSC (b)(6)(b)(7)(C) is currently conducting SF-type training that has him training throughout the United States for the next eight weeks and he should return in Jul 12.

About 1410, 9 May 12, SA (b)(6)(b)(7)(C) telephonically interviewed MAJ (b)(6)(b)(7)(C) XXX-XX-(b)(6)(b)(7)(C) 1st Battalion, 75th Ranger Regiment, Hunter Army Airfield, GA 31409, who is currently deployed in support of Operation Enduring Freedom. MAJ (b)(6)(b)(7)(C) stated he believed he had attended Captain Career Course (CCC) over five years prior with CPT GOLSTEYN, but stated he never really spoke to him and had to look him up on the internet to remember what he looked like. MAJ (b)(6)(b)(7)(C) related he thought CPT GOLSTEYN referred to him in his book review of Bing WEST's book "The Wrong War," was because they had gone to school together and that he was the Commander of a team in the Korengal Valley that Mr. WEST had documented in great detail of the incredible job they had done in 2008-2009.

About 0900, 10 May 12, SFC (b)(6)(b)(7)(C) was re-interviewed regarding his knowledge and memory of the mission wherein his team had coordinated to search a specific village for a known bomb maker for retaliation of the death of SGT JOHNSON and LCPL MCQUEARY. SFC (b)(6)(b)(7)(C) advised he could not recall the mission and was unable to provide any information which would assist this investigation.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIG (b)(6)(b)(7)(C)

DATE

10 MAY 12

EXHIBIT

53



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AGENT'S INVESTIGATION REPORT

ROI NUMBER

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*CID Regulation 195-1*

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PAGE 1 OF 1 PAGE(S)

DETAILS

About 1600, 18 May 12, this office was notified by LTC (b)(6)(b)(7)(C) SJA, US Army Special Forces Command (Airborne), FBNC, [REDACTED]

About 1250, 21 May 12, SA (b)(6)(b)(7)(C) contacted CPT GOLSTEYN and requested a re-interview regarding information obtained during the course of the investigation. CPT GOLSTEYN stated he would not conduct a re-interview and would not assist this investigation.

AGENT'S COMMENTS: SA (b)(6)(b)(7)(C) advised CPT GOLSTEYN that a phone call would be made to his spouse, Mrs. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) SA (b)(6)(b)(7)(C) provided CPT GOLSTEYN contact information for this office for her to call.

About 1200, 30 May 12, this office received the Final Information Report, CID Case #0123-12-CID146, from the Fort Irwin CID Office, Building 986, Inner Loop Road, Fort Irwin, CA 92310, which contained the Agent's Investigation Report (AIR) of SA (b)(6)(b)(7)(C) Sworn Statement of Mr. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Interpreter, Mission Essential Personnel Organization, Camp Lawton, Afghanistan, and CID Form 44 of Mr. (b)(6)(b)(7)(C) (See AIR and Statement for details)

About 1345, 31 May 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) this office, attempted to conduct make contact with Mrs. (b)(6)(b)(7)(C) at her residence at (b)(6)(b)(7)(C) which met with negative results as the house was vacant.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE (b)(6)(b)(7)(C)

DATE

31 MAY 12

EXHIBIT

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0906-11-CID023-43647 (CAT I)  
0123-12-CID146

PAGE 1 OF 1 PAGES

## DETAILS

**BASIS FOR INVESTIGATION:** About 1449, 7 May 12, this office received a Request For Assistance (RFA) from the Ft Bragg CID Office, to interview Mr. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Mission Essential Personnel Organization, Camp Lawton, Afghanistan.

**Agent's Comment:** Mr. (b)(6)(b)(7)(C) did not have a physical address due to his job as an interpreter in Afghanistan.

About 1710, 9 May 12, SA (b)(6)(b)(7)(C) interviewed (b)(6)(b)(7)(C) who stated he had never worked with CPT GOLSTEYN, GOLSTEYN's unit, or in the Marjah District, Helmand Province, Afghanistan. (See Statement of (b)(6)(b)(7)(C))

About 1027, 10 May 12, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) Ft Bragg CID Office, who relayed no further investigative activity was required of this office.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Irwin CID Office  
Fort Irwin, CA 92310

DATE

10 May 12

EXHIBIT

55

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## SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agent (b)(6)(b)(7)(C) Deputy Chief of Staff for Personnel.

LOCATION San Diego PD 13396 Salomon River	DATE 9 May 12	TIME 1710	FILE NUMBER (b)(6)(b)(7)(C)
(b)(6)(b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6)(b)(7)(C)	GRADE/STATUS	

ORGANIZATION OR ADDRESS

want to make the following statement under oath:

Q: SA (b)(6)(b)(7)(C)

A: Mr. (b)(6)(b)(7)(C)

Q: Have you ever worked with Cpt Matthew GOLSTEYN, B-Co, 1-3 Special Forces Group?

A: No.

Q: Have you ever worked with the U.S. Military in the Marjah District, Helmand Province, Afghanistan?

A: No. The only provinces I have worked at so far are Herat Province and Farah Province.

Q: What dates did you work at Herat and Farah Provinces?

A: I worked at Herat Province from about October 2009 to about February 2010 and then I was deployed to Farah where I worked till around June/July 2010 at (FOB Shiwan). Then I came back to Herat and to present I've been working at Herat since then. During the whole time I was assigned to a MISO (Psyop) team.

EXHIBIT	INITIALS (b)(6)(b)(7)(C) PERSON MAKING STATEMENT	PAGE 1 OF PAGES 3
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_ TAKEN AT \_ DATED \_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALS AS "PAGE \_ OF \_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE OF ANOTHER COPY OF THIS FORM.



USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

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

TAKEN AT

San Diego PD

13396 Salomon River Rd

San Diego CA

DATED 9 May 12

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

9. STATEMENT (Continued)

Q: Have you ever been based out of Thunderdumb Base Camp?

A: I haven't heard of this Base Camp. No, I haven't been there.

Q: Have you ever been assigned to ODA-3121 Team, or 3D Anglico Mar forres Marines?

A: No.

Q: Were you ever familiar with, or spoke with, an insurgent / bomb maker named "Rasoul"?

A: No.

Q: Were you ever familiar with, or spoke to, a "Source" named (b)(6), (b)(7)(C) or a village elder named (b)(6)(b)(7)(C)?

A: No.

Q: Have you ever worked in the South?

A: No. I have been working for SOTF-West.

Q: Who did you work for in Farah?

A: I was still working Psyop team in support of Marsoc and the Marsoc CAPT's name was (b)(6)(b)(7)(C)

Q: Is there anything else you would like to add to your statement?

A: No /// END OF STATEMENT /// (b)(6)(b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6)(b)(7)(C)

TAKEN AT San Diego, CA  
13396 Salmon River Rd  
San Diego, CA

DATED 9 May 12

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

9. STATEMENT (Continued)

Not Used

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

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

AFFIDAVIT

I, (b)(6)(b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of May, 2012, at Fort Irwin, CA 92310 San Diego, CA

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

(Administering Oath)

SA

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)

PAGE 3 OF 3 PAGES



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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

*CID Regulation 195-1*

Contents cannot be released outside law enforcement or Dept of the Army  
channels without the approval of the Commander, USACIDC

PAGE 1 OF 1 PAGE(S)

DETAILS

About 1530, 7 Jun 12, this office received the Final Information Report, CID Case# 0450-12-CID016, from the Fort Lewis CID Office, P.O. Box 339500, Joint Base Lewis-McChord, Washington 98433, which contained the Agent's Investigation Report of SA (b)(6)(b)(7)(C)

About 1240, 11 Jun 12, SA (b)(6)(b)(7)(C) conducted a telephonic interview of SGT (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Bravo Company, Explosive Ordnance Section, Marine Corps East, Camp Lejeune, NC, 28542, who stated he arrived at FOB MCQUEARY approximately two after the explosion which killed SGT MCQUEARY and LCPL JOHNSON. SGT (b)(6)(b)(7)(C) he heard the Special Forces members captured a potential bomb-maker in the middle of March and turned him over to the Afghanistan National Army (ANA) Sergeant Major, but he had no direct knowledge. SGT (b)(6)(b)(7)(C) was unable to provide any information which would assist this investigation.

About 1305, 11 Jun 12, SA (b)(6)(b)(7)(C) interviewed SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 8th ESB, CLNC, who stated he conducted route clearance while deployed to FOB MCQUEARY with CPT GOLSTEYN and ODA-3121, but never engaged in conversations with them. SSG (b)(6)(b)(7)(C) stated he left country in Mar 10 due to multiple explosions which lead to concussions. SSG (b)(6)(b)(7)(C) provided nothing pertinent which would assist this investigation.

About 0900, 12 Jun 12, SA (b)(6)(b)(7)(C) telephonically interviewed SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Explosive Ordnance Disposal, 8th Engineer Support Battalion, Camp Lejeune, NC, who stated he arrived approximately four days after the explosion which took the lives of SGT MCQUEARY and LCPL JOHNSON. SSG (b)(6)(b)(7)(C) stated he was a member of Route Clearance Platoon 3 (RCP3) and worked with CPT GOLSTEYN and members of ODA-3121. SSG (b)(6)(b)(7)(C) stated he admired CPT GOLSTEYN and felt he was a great leader. SSG (b)(6)(b)(7)(C) stated he could not recollect the capture or interrogation of any known bomb makers or individuals responsible for explosion. SSG (b)(6)(b)(7)(C) further stated he heard rumors of the Afghanistan National Army (ANA) Sergeant Major allegedly capturing a known Remote Control Improvised Explosive Device (RC-IED) maker, but had no knowledge of what occurred. SSG (b)(6)(b)(7)(C) was unable to provide information which would assist this investigation further.

About 1330, 12 Jun 12, this office received the Final Information Report, CID Case #0329-11-CID379, from the Kandahar CID Office, 83rd Military Police Detachment, Kandahar Airfield, Afghanistan, APO AE 09355, which contained the following documentation: Agent's Investigation Report (AIR) of SA (b)(6)(b)(7)(C) photographic packets and original photographs pertaining to burn pit excavations, AIR of SA (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) and AIR of SA (b)(6)(b)(7)(C) both of the Kandahar CID Office.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

12 JUN 12

EXHIBIT

57

CID F

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

0450-12-CID016-

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## DETAILS

**BASIS FOR INVESTIGATION:** This office received a Request for Assistance (RFA) from the Fort Bragg CID Office, 8-1221 Randolph Street, Fort Bragg, NC 28310, to conduct a witness interview of Mr. (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) XXX-XX- (b)(6)(b)(7)(C)

About 1530, 31 May 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) arrived at (b)(6)(b)(7)(C) SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) rang all of the residences listed on the front buzzer, none were home. SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) walked around the block, checked the adjacent buildings, in which only one occupant, who declined to further identify herself, was present in (b)(6)(b)(7)(C), said all the buildings were condos, and did not know any of the neighbors. No one was home at the time at (b)(6)(b)(7)(C) SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) walked around the block again checking for any vehicles with any DoD stickers or identification, which revealed nothing pertinent. SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) who instructed to wait for occupants to get home and re-canvass the area.

About 1740-1930, 31 May 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) canvassed the neighborhood, Mr. (b)(6)(b)(7)(C) Ms. (b)(6)(b)(7)(C) a (b)(6)(b)(7)(C) and an older female (NFI) declined to further identify themselves stated they knew Mr. (b)(6)(b)(7)(C) lived in the condominium with his girlfriend, Ms. (b)(6)(b)(7)(C) (NFI). None of the neighbors knew the type of vehicle that Mr. (b)(6)(b)(7)(C) drove other than it was a white, four door SUV-type vehicle with black roof racks. None of the neighbors had seen Ms. (b)(6)(b)(7)(C) driving a vehicle at all. Ms. (b)(6)(b)(7)(C) related she knew she worked during the day and walked to work and had never seen her drive. SA (b)(6)(b)(7)(C) left a business card with Mr. (b)(6)(b)(7)(C) who stated he would place it in the doorjamb of Ms. (b)(6)(b)(7)(C) residence or slide it under the door.

About 1930, 31 May 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) interviewed Ms. (b)(6)(b)(7)(C) who appeared walking from the south on E 18<sup>th</sup> Ave. After showing our credentials and asking if she was Ms. (b)(6)(b)(7)(C) she asked, "Who wants to know?" I then repeated the question and she responded affirmatively. SA (b)(6)(b)(7)(C) then re-identified himself, and Ms. (b)(6)(b)(7)(C) asked what we wanted with her. SA (b)(6)(b)(7)(C) asked if she knew Mr. (b)(6)(b)(7)(C) and Ms. (b)(6)(b)(7)(C) responded that he lived in the building with her. Ms. (b)(6)(b)(7)(C) became agitated when we asked where Mr. (b)(6)(b)(7)(C) was when he would return. Ms. (b)(6)(b)(7)(C) first stated she did not know when he was coming back and then stated he would not be coming back at all and SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) should leave. SA (b)(6)(b)(7)(C) left contact information with Ms. (b)(6)(b)(7)(C) and asked her to notify Mr. (b)(6)(b)(7)(C) upon his return, Ms. (b)(6)(b)(7)(C) stated she would. SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) departed and returned to the vehicle across the street. Upon returning to the vehicle while coordinating with SA (b)(6)(b)(7)(C) SA (b)(6)(b)(7)(C) noticed Ms. (b)(6)(b)(7)(C) taking photographs of our vehicle and the license plate. Ms. (b)(6)(b)(7)(C) then exited the building walked down to the open recycling and yard waste containers, and emptied a metal pail with what appeared to be ashes into the receptacles. SA (b)(6)(b)(7)(C) then briefed SA (b)(6)(b)(7)(C) who was on the phone. SA (b)(6)(b)(7)(C) directed SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) to notify the Seattle Police Department (SPD) before examining the contents of the container. SA (b)(6)(b)(7)(C) then notified the Seattle Non-emergency dispatch to request a uniformed police officer to be present on scene to examine the open trash cans. SPD stated an

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

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

44<sup>th</sup> Military Police Detachment (CID)  
Joint Base Lewis-McChord, WA 98433

SIGNATURE (b)(6)(b)(7)(C)

1 Jun 12

EXHIBIT

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0906-1-023-43647

Exhibits 58-97

EXHIBITS

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# AGENT'S INVESTIGATION REPORT

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## DETAILS

officer would respond to the scene. Ms. (b)(6)(b)(7)(C) again came out of the building to notify us that we did not need to be here and that Mr. (b)(6)(b)(7)(C) was not here. Ms. (b)(6)(b)(7)(C) again took photographs of us and asked us to leave.

About 1945, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) exited the vehicle and were met by Ms. (b)(6)(b)(7)(C) who again stated that there was no need for us to be here, and her and her neighbors were being harassed by our presence in the area. Ms. (b)(6)(b)(7)(C) stated we had unlawfully entered her building and left a business card in her doorway. Officers (OFC) (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) (SPD) arrived on scene at 1955 and reiterated to Ms. (b)(6)(b)(7)(C) that SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) were within their legal authority to ask her neighbors questions pertaining to their investigation. OFC (b)(6)(b)(7)(C) asked Ms. (b)(6)(b)(7)(C) if she owned the condominium, and she replied, "I live there" and would not disclose anything else. OFC (b)(6)(b)(7)(C) asked Ms. (b)(6)(b)(7)(C) if SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) had entered her residence, to which she responded no. OFC (b)(6)(b)(7)(C) then informed her that they were there upon request of SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C). Ms. (b)(6)(b)(7)(C) then left the area and walked across the street entering a green Volvo, License plate (b)(6)(b)(7)(C) which was ran by OFC (b)(6)(b)(7)(C) which came back registered to a Mr. (b)(6)(b)(7)(C) DOB (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) (NFI). The registered address was (b)(6)(b)(7)(C) which was the third floor condominium above Ms. (b)(6)(b)(7)(C) place of residence. The registered owner had the same last name as Mr. (b)(6)(b)(7)(C). About 1955, 31 May 12, SA (b)(6)(b)(7)(C) conducted a search of the recycling and trash receptacles of BLDG (b)(6)(b)(7)(C) located on the street with OFC (b)(6)(b)(7)(C) present and found scattered ashes and mail addressed to various residences of BLDG (b)(6)(b)(7)(C). The amounts of ash located in the garbage were scattered, minute, and located on wet, rotting fruit, and were not recoverable. After SA (b)(6)(b)(7)(C) returned to OFC (b)(6)(b)(7)(C) SA (b)(6)(b)(7)(C) informed SA (b)(6)(b)(7)(C) that Ms. (b)(6)(b)(7)(C) had parked the vehicle License plate (b)(6)(b)(7)(C) in the gated condominium residence of Bldg 1819 across the street.

About 2110, 31 May 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) attempted to locate the vehicle in the parking lot of BLDG 1819 which allowed pedestrian access from the street level with no kind of security in place. The vehicle with license plate (b)(6)(b)(7)(C) was located in parking stall number 14 in the far corner of the covered portion of the condominium parking behind another vehicle.

About 2130, 31 May 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) conducted a sweep of the area for vehicles matching the description of a white, four door, SUV type car and found one with License plate (b)(6)(b)(7)(C). While recording the license plate, Ms. (b)(6)(b)(7)(C) again exited Bldg (b)(6)(b)(7)(C) and began telling SA (b)(6)(b)(7)(C) that we should purchase a hotel if he intended to stay the night in the area. Ms. (b)(6)(b)(7)(C) then began taking pictures of the vehicle, SA (b)(6)(b)(7)(C) SA (b)(6)(b)(7)(C) and demanding to know who SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) had interviewed, why we had entered BLDG (b)(6)(b)(7)(C) illegally, and why we were harassing both her and her neighbors. SA (b)(6)(b)(7)(C) then asked Ms. (b)(6)(b)(7)(C) if Mr. (b)(6)(b)(7)(C) had been living with her, she responded affirmatively, SA (b)(6)(b)(7)(C) then asked Ms. (b)(6)(b)(7)(C) if she lived with him why she did not know where he was, to which she responded, "you know you don't get good cell phone reception in the mountains right?" SA

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

44<sup>th</sup> Military Police Detachment (CID)  
Joint Base Lewis-McChord, WA 98433

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

SIGNATURE

1 Jun 12

EXHIBIT

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## DETAILS

(b)(6)(b)(7)(C) then asked if Mr. (b)(6)(b)(7)(C) was in the mountains, to which she responded, "I did not say he was in the mountains". SA (b)(6)(b)(7)(C) then asked why she was driving a vehicle not registered to her and in the name of (b)(6)(b)(7)(C) Ms. (b)(6)(b)(7)(C) responded, "none of your business". SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) recorded the license plate of the vehicle (b)(6)(b)(7)(C) and then departed the area to the office.

AGENT'S COMMENT: Ms. (b)(6)(b)(7)(C) offered contradicting statements as to her knowledge of Mr. (b)(6)(b)(7)(C) whereabouts.

About 0600, 1 Jun 12, SA (b)(6)(b)(7)(C) was contacted by Mr. (b)(6)(b)(7)(C) who declined to identify himself any further and proceeded to ask several questions. Mr. (b)(6)(b)(7)(C) stated he was unhappy that we did not have his phone number to call him directly, that we should have his phone number and repeatedly asked if we knew who he was. Mr. (b)(6)(b)(7)(C) further stated he did not believe the credentials shown to Ms. (b)(6)(b)(7)(C) were real, and that this office had harassed both Ms. (b)(6)(b)(7)(C) and the other residents. Mr. (b)(6)(b)(7)(C) stated we should review his record before attempting to contact him further through any means, and that he knew who SA (b)(6)(b)(7)(C) was. SA (b)(6)(b)(7)(C) explained to Mr. (b)(6)(b)(7)(C) that he was a Special Agent with the Criminal Investigation Command. SA (b)(6)(b)(7)(C) then asked Mr. (b)(6)(b)(7)(C) if he lived with Ms. (b)(6)(b)(7)(C) which he did not respond to. Mr. (b)(6)(b)(7)(C) stated that he knew the license plate of vehicle (b)(6)(b)(7)(C) had been ran and wanted to know why and asked what it had to do with his father. Mr. (b)(6)(b)(7)(C) stated that he knew people and that this office would be represented negatively in national news media if we continued to contact him. SA (b)(6)(b)(7)(C) informed Mr. (b)(6)(b)(7)(C) that he was not in trouble and that this office would be willing to meet in any location to discuss the case. SA (b)(6)(b)(7)(C) asked Mr. (b)(6)(b)(7)(C) if he was ever in 1<sup>st</sup> Special Forces Group, to which he did not respond, SA (b)(6)(b)(7)(C) then asked if he had ever been stationed at Camp Thunderdump, to which he did not respond. Mr. (b)(6)(b)(7)(C) declined to provide any information and stated that SA (b)(6)(b)(7)(C) would be contacted by a third party to verify his credentials, and at that time would be contacted again by Mr. (b)(6)(b)(7)(C) if they could be verified. SA (b)(6)(b)(7)(C) provided his contact information, badge number, and the name of SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) as his supervisors if any additional information was needed.

AGENT'S COMMENT: During the conversation it sounded like Mr. (b)(6)(b)(7)(C) was inside of a vehicle, and during the last few minutes of the conversation Mr. (b)(6)(b)(7)(C) asked another person, "Do you know how to use Google?" I asked Mr. (b)(6)(b)(7)(C) if someone else was there, and he responded by saying, "I was not speaking to you." After that he stated he would contact me later and hung up.

About 1230, 1 Jun 12, SA (b)(6)(b)(7)(C) was contacted by Mr. (b)(6)(b)(7)(C) who wanted to know what the investigation was about. Mr. (b)(6)(b)(7)(C) began by stating that this office would again be negatively represented in the national media, that the Seattle Chief of Police (b)(6)(b)(7)(C) (NFI) would be calling this office to inquire about the conduct of his officers. Mr. (b)(6)(b)(7)(C) stated that a police report would describe SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) throwing objects at Ms. (b)(6)(b)(7)(C) and additionally his Senator and Congressman

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6)(b)(7)(C), (b)(7)(E)		44 <sup>th</sup> Military Police Detachment (CID)	
		Joint Base Lewis-McChord, WA 98433	
SIGNATURE (b)(6)(b)(7)(C)		1 Jun 12	EXHIBIT 58

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## AGENT'S INVESTIGATION REPORT

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## DETAILS

would be notified of this investigation. Mr. (b)(6)(b)(7)(C) stated Ms. (b)(6)(b)(7)(C) had called the police as well and the officers who responded had harassed her and their neighbors. Mr. (b)(6)(b)(7)(C) also stated that he would be contacting CID headquarters in Quantico, VA. SA (b)(6)(b)(7)(C) asked if he knew a CPT GOLDSTEYN. Mr. (b)(6)(b)(7)(C) responded by asking, "Matthew GOLDSTEYN?" Mr. (b)(6)(b)(7)(C) refused to identify himself or provide his whereabouts, any contact, knowledge, description, or other information about CPT GOLDSTEYN other than the book written by "Bing WEST" was inaccurate in several places. Mr. (b)(6)(b)(7)(C) specifically mentioned the areas where CPT GOLDSTEYN was deployed were inaccurate. Mr. (b)(6)(b)(7)(C) recognized ODA 3121 when asked about it, stated while deployed he belonged to Task Force Phoenix and did not have any working relationship with the ODA or CPT GOLDSTEYN. Mr. (b)(6)(b)(7)(C) stated he did not recognize FOB MCQUEARY or Base Camp Thunderdump. Throughout the conversation, Mr. (b)(6)(b)(7)(C) repeatedly stated that if he were to meet SA (b)(6)(b)(7)(C) besides a prearranged meeting, "things would go badly for him." Mr. (b)(6)(b)(7)(C) also demanded that he received an apology from SA (b)(6)(b)(7)(C) as to the conduct of the investigation. SA (b)(6)(b)(7)(C) informed Mr. (b)(6)(b)(7)(C) that it was within legal boundaries for law enforcement officers to ask questions about people in public places. SA (b)(6)(b)(7)(C) stated he was sorry if Mr. (b)(6)(b)(7)(C) felt that way but would not apologize for conducting investigative activity as the case agent.

About 1500, 1 Jun 12, SA (b)(6)(b)(7)(C) briefed SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) stated no further investigative activity was needed.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

44<sup>th</sup> Military Police Detachment (CID)  
Joint Base Lewis-McChord, WA 98433

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

SIGN (b)(6)(b)(7)(C)

1 Jun 12

EXHIBIT

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**AGENT'S INVESTIGATION REPORT**

CID Regulation 195-1

ROI NUMBER

0329-11-CID379/0906-11-CID023-43647

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**DETAILS**

**BASIS FOR INVESTIGATION:** About 1417, 11 Nov 11, this office received a CAT 1 Request For Assistance (RFA) from Fort Bragg CID Office, 10th MP BN, (CID)(ABN), Fort Bragg, North Carolina 28310-5001, who requested this office to prepare a sketch of Thunderdump Base Camp, identify potential burn pits, conduct crime scene examinations of the burn pits, locate and identify persons with information regarding an interpreter named (b)(6), (b)(7)(C) (NFI), identify two killed Marines and three wounded Marines from the Marjah District and once identified collect their medical records, locate and collect all 15-6 documents pertaining to this incident, identify sources who operated with Operational Detachment Alpha (ODA) 3121 from the Marjah District, locate the interpreter CPT Matthew L. GOLSTEYN, XXX-XX (b)(6)(b)(7)(C) United States Army Special Operations Command (USASOC) stated he debriefed, coordinate with the Afghan National Army (ANA) to identify any personnel who worked with ODA 3121, obtain the prisoner tag(s) during the capture of (b)(6), (b)(7)(C) and collect intelligence regarding (b)(6), (b)(7)(C) (NFI).

About 1300, 14 Nov 11, SA (b)(6)(b)(7)(C) this office, coordinated with Sgt (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) United States Marine Corps (USMC), Intelligence Chief, Joint Prosecution Exploitation Center (JPEC), Camp Leatherneck, Afghanistan, APO AE 09372, and provided him all pertinent information to begin collecting and coordinating data to identify Camp Thunderdome and or the location site of burn pits.

About 1600, 16 Nov 11, SA (b)(6)(b)(7)(C) obtained from Sgt (b)(6)(b)(7)(C) a copy of Significant Action (SIGACT) and Improvised Explosive Device (IED) strike report 201002180950, which provided details pertaining to the death of Sgt MCQUEARY (NFI) and Lcpl JOHNSON (NFI) on 18 Feb 2010, while operating in the Marjah district of Afghanistan.

About 1410, 17 Nov 11, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) USMC, Marine Criminal Investigation Division (CID), Leatherneck CID Office, coordinated with LT (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Marine Headquarters Group (MHG), Combined Aid Station (CAS), Camp Leatherneck, Afghanistan, APO AE 09372, who was unable to provide any details pertaining to the Casualty Evacuation (CASEVAC) regarding the transportation of the three unidentified Marines who were wounded in action while in Marjah District, Afghanistan on 18 Feb 10.

About 1800, 18 Nov 11, SA (b)(6)(b)(7)(C) coordinated with and obtained from CPT (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Trauma Nurse Coordinator, Role III, Bastion Hospital, Camp Bastion, Afghanistan, APO AE 09372, who provided the names and CASEVAC number for the wounded Marines who are listed as unidentified in this investigation. CPT (b)(6)(b)(7)(C) related the CASEVAC number was flight PEDRO 2-18M, on 18 Feb 10. The names of the patients evacuated were listed as GySgt (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Sgt (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Sgt (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Petty Officer Second Class (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) SA (b)(6)(b)(7)(C) provided this information to the Fort Bragg CID Office.

About 2100, 22 Nov 11, SA (b)(6)(b)(7)(C) obtained from SA (b)(6)(b)(7)(C) all documents queried and located within his offices database system pertaining to this investigation. SA (b)(6)(b)(7)(C) provided one engagement report listing

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6)(b)(7)(C), (b)(7)(E)		Kandahar CID Office Kandahar Airfield, Afghanistan, APO AE 09355	
SIGNATURE	(b)(6)(b)(7)(C)	DATE	EXHIBIT
		28 Nov 11	59

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**AGENT'S INVESTIGATION REPORT**

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**DETAILS**

the names of MCQUEARY and (b)(6)(b)(7)(C) which revealed at an unknown location in Marjah district of Afghanistan and ODA element conducted a shura with local villagers in order to establish a Forward Operating Base (FOB) or (Combat Outpost) COP named McQuery.

About 1700, 23 Nov 11, SA (b)(6)(b)(7)(C) coordinated with SSgt (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Operations Chief, Imagery Analyst, C-2, Regional Command Southwest, Camp Leatherneck, Afghanistan, APO AE 09327, who was provided with all pertinent information to obtain images of the suspected death scene and village area pertaining to this investigation and provide an analysis of those images. SSgt (b)(6)(b)(7)(C) related it would take approximately one week at the latest to complete the analysts due to other operational requirements.

About 1700, 27 Nov 11, SA (b)(6)(b)(7)(C) obtained the imagery analysis pertaining to the suspected death scene and village area pertaining to this investigation from SSgt (b)(6)(b)(7)(C)

About 2000, 27 Nov 11, SA (b)(6)(b)(7)(C) obtained from SSgt (b)(6)(b)(7)(C) a compact disk containing the imagery analysis Marjah district and both U.S. Forces installations requested to be analyzed.

About 0900, 28 Nov 11, SA (b)(6)(b)(7)(C) reviewed the content of the digital media containing the imagery analysis which revealed the district of Marjah, Patrol Base KHERSE (PB), and COP AZADI/BALAKINO.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Kandahar CID Office  
Kandahar Airfield, Afghanistan, APO AE 09355

DATE

28 Nov 11

EXHIBIT

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**DETAILS**

About 0700, 4 Dec 11, SA (b)(6)(b)(7)(C) and Agent (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Marine CID, Agent (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Marine CID, JPEC, Cpl (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) JPEC, and Cpl (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Camp Leatherneck, Afghanistan APO AE 09327 (TEAM) traveled to Camp Hansen, Marjeh District, Helmand Province, Afghanistan to excavate burn pits located at COP AZADI.

About 1200, 4 Dec 11, SA (b)(6)(b)(7)(C) and TEAM located and began excavation of burn pit number one, designated so, utilizing the information obtained during the investigation and sketches provided by the originating office.

About 0830, 5 Dec 11, SA (b)(6)(b)(7)(C) and TEAM continued excavation of the first burn pit location. No human remains were found. SA (b)(6)(b)(7)(C) exposed photographs of the area. (See Photographic Packet)

About 0830, 6 Dec 11, SA (b)(6)(b)(7)(C) and TEAM continued excavation of first originally identified burn pit location. No human remains were found. SA (b)(6)(b)(7)(C) exposed photographs of the area. (See Photographic Packet)

About 1730, 6 Dec 11, SA (b)(6)(b)(7)(C) and TEAM coordinated with the Human Intelligence Exploitation Team (HET) for Marjeh District who provided information that at the time the Special Forces occupied COP AZADI they were operating out of the eastern side of the compound in the abandoned village located within COP AZADI. The information provided was the ODA unit maintained a burn pit independent of the main burn pit the Marines located on COP AZADI did not use. A search of the compound located an inactive burn pit in the abandoned village enclosed within COP AZADI.

About 0830, 7 Dec 11, SA (b)(6)(b)(7)(C) and TEAM excavated the second identified burn pit based on the information from the Marjeh District HET. No human remains were found. SA (b)(6)(b)(7)(C) exposed photographs of the area. (See Photographic Packet)

About 2000, 7 Dec 11, SA (b)(6)(b)(7)(C) and TEAM coordinated with GySgt (b)(6)(b)(7)(C) JPEC, who provided additional information pertaining to a possible burn pit located in an abandoned village approximately 100 meters outside COP AZADI.

About 2130, 7 Dec 11, SA (b)(6)(b)(7)(C) and TEAM coordinated with the Marine element on COP AZADI to provide an escort to the abandoned village outside COP AZADI. The Marine element escorted this agent to the village outside COP AZADI where a yard approximately 100 sq yards in size was located and appeared to have been used as a burn pit or location where a fire had been as ashes and burnt material was scattered across the whole yard. No central burn pit was located due to it either being covered as the ground had been smoothed over and was relatively flat.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Kandahar CID Office  
Kandahar Airfield, Afghanistan, APO AE 09355

SIGNATURE

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

DATE

23 Dec 11

EXHIBIT

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## DETAILS

About 0800, 8 Dec 11, SA (b)(6)(b)(7)(C) and TEAM conducted a search beyond the scene and located a dry, unused well which appeared to have been used as a burn pit. This agent excavated the well which revealed nothing of evidentiary value.

About 1000, 8 Dec 11, SA (b)(6)(b)(7)(C) and TEAM traveled to Camp Hansen from COP AZADI utilizing a vehicle convoy.

About 0700, 9 Dec 11, SA (b)(6)(b)(7)(C) and TEAM traveled to Camp Leatherneck by rotary wing vehicle.

About 0830, 23 Dec 11, SA (b)(6)(b)(7)(C) coordinated with originating office who related it was not requesting this office prepare a Death Scene Sketch and that an AIR and AAS entry would be sufficient. Further the originating office provided specific questioning for the shura:

1. What type of interaction did they have with the US Forces in Feb 10?
2. Did they know of MAJ GOLSTEYN and his ODA members?
3. Have they ever heard of "(b)(6), (b)(7)(C)" If so, do they know what happened to him?
4. Did anyone disappear from one of the villages during the said timeframe by ANA or US Forces?
5. Was there a village elder named "(b)(6), (b)(7)(C)" If so, what happened to him?
6. Did the ODA members, to include GOLSTEYN ever utilize unnecessary force in their presence?
7. Are there any burn pits or burial locations utilized by US Forces away from FOB MCQUEARY?
8. Did they know of the two alleged bomb makers killed by the IED on 18 Feb 10 at the Bazaar which killed the two Marines?
9. Any further knowledge you deem they may have would be crucial.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Kandahar CID Office  
Kandahar Airfield, Afghanistan, APO AE 09355

SIGNATURE

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

DATE

23 Dec 11

EXHIBIT

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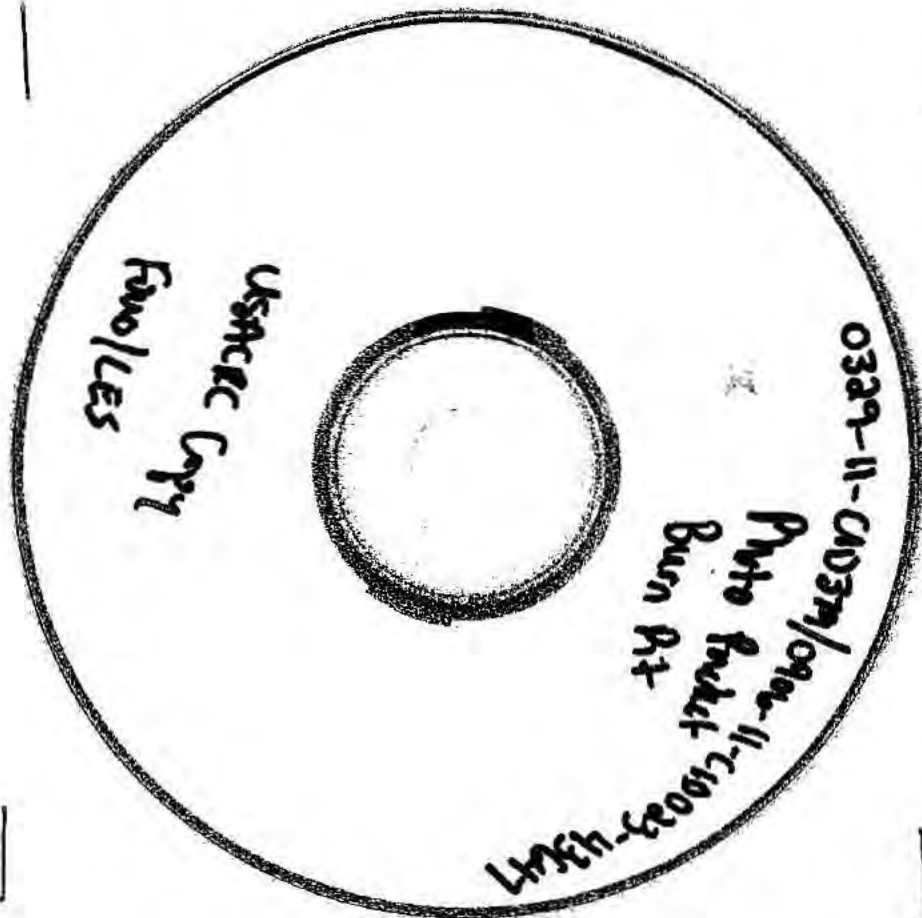
000167



0329-11-CID379/0906-11-CID023-43647

# Photo Packet

## Burn Pits



# USACRC

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Law Enforcement Sensitive

Exhibit 61







000170





000171

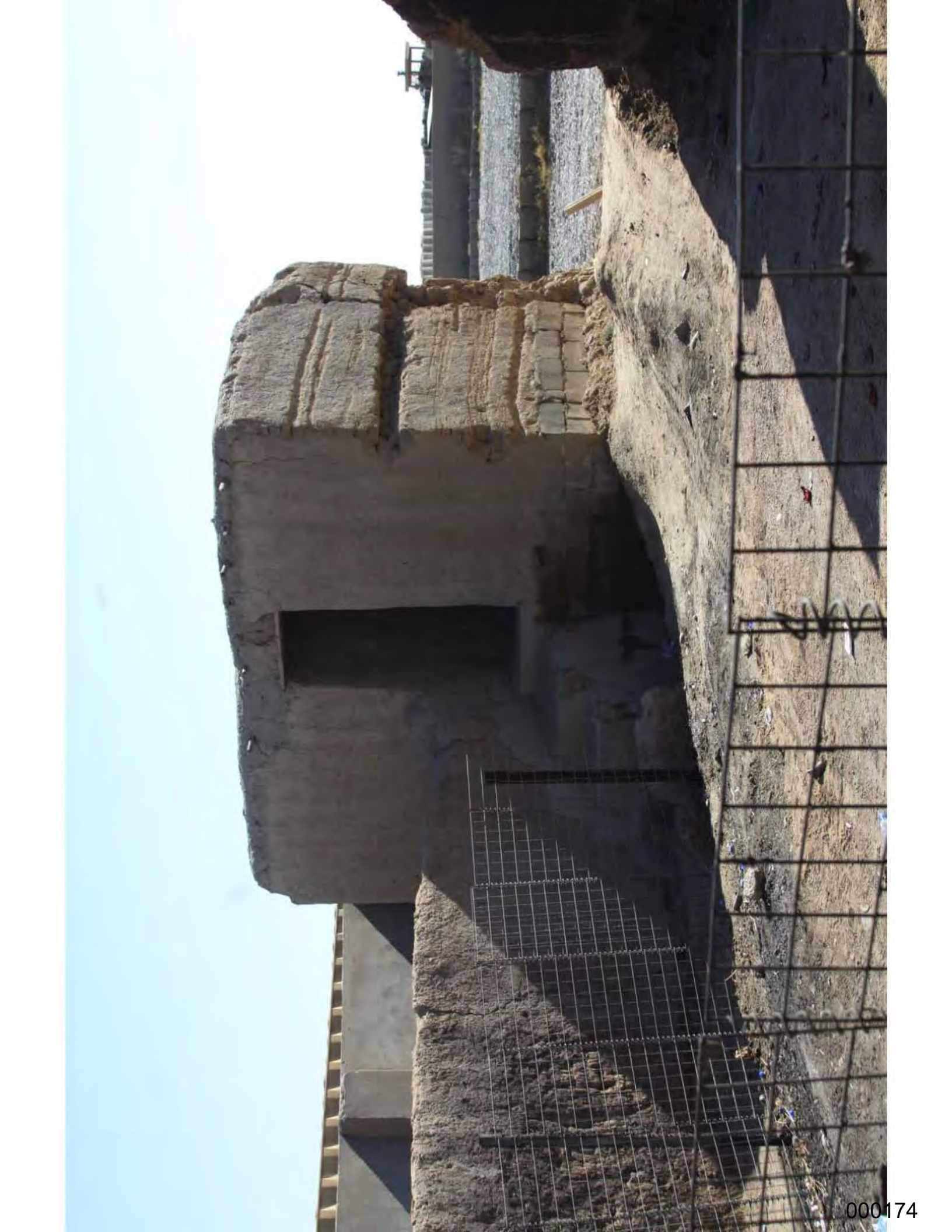
























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000178













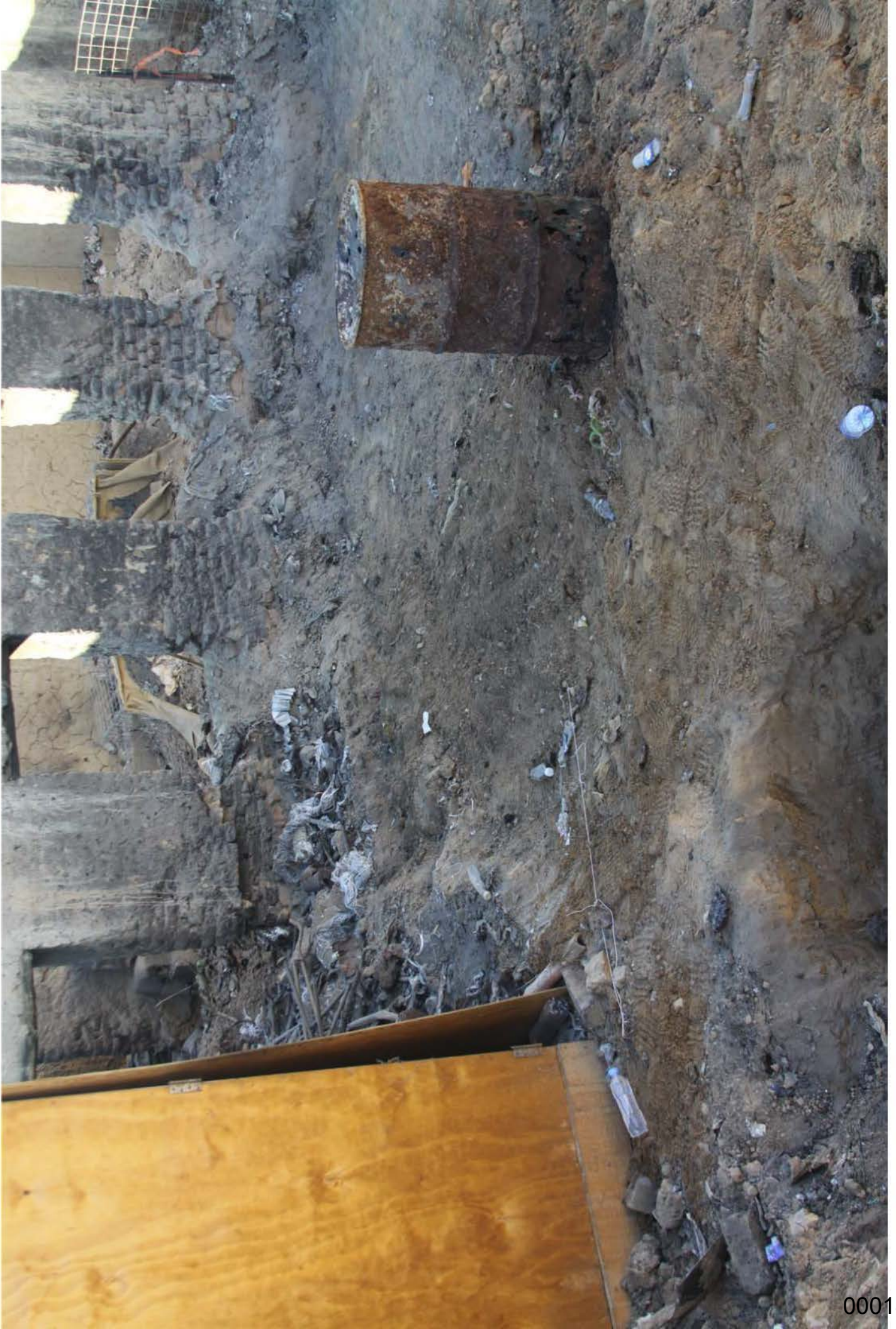




















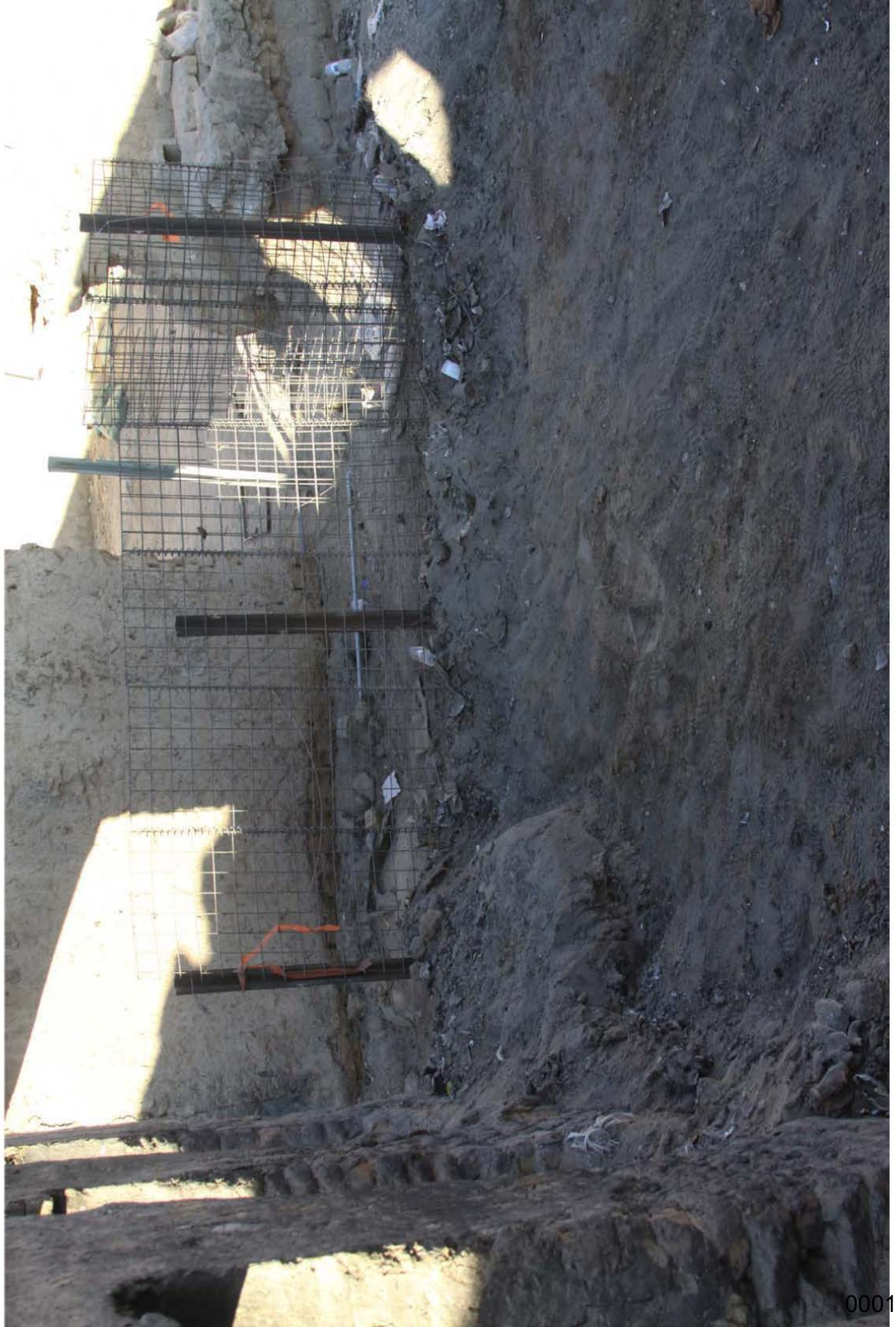






























































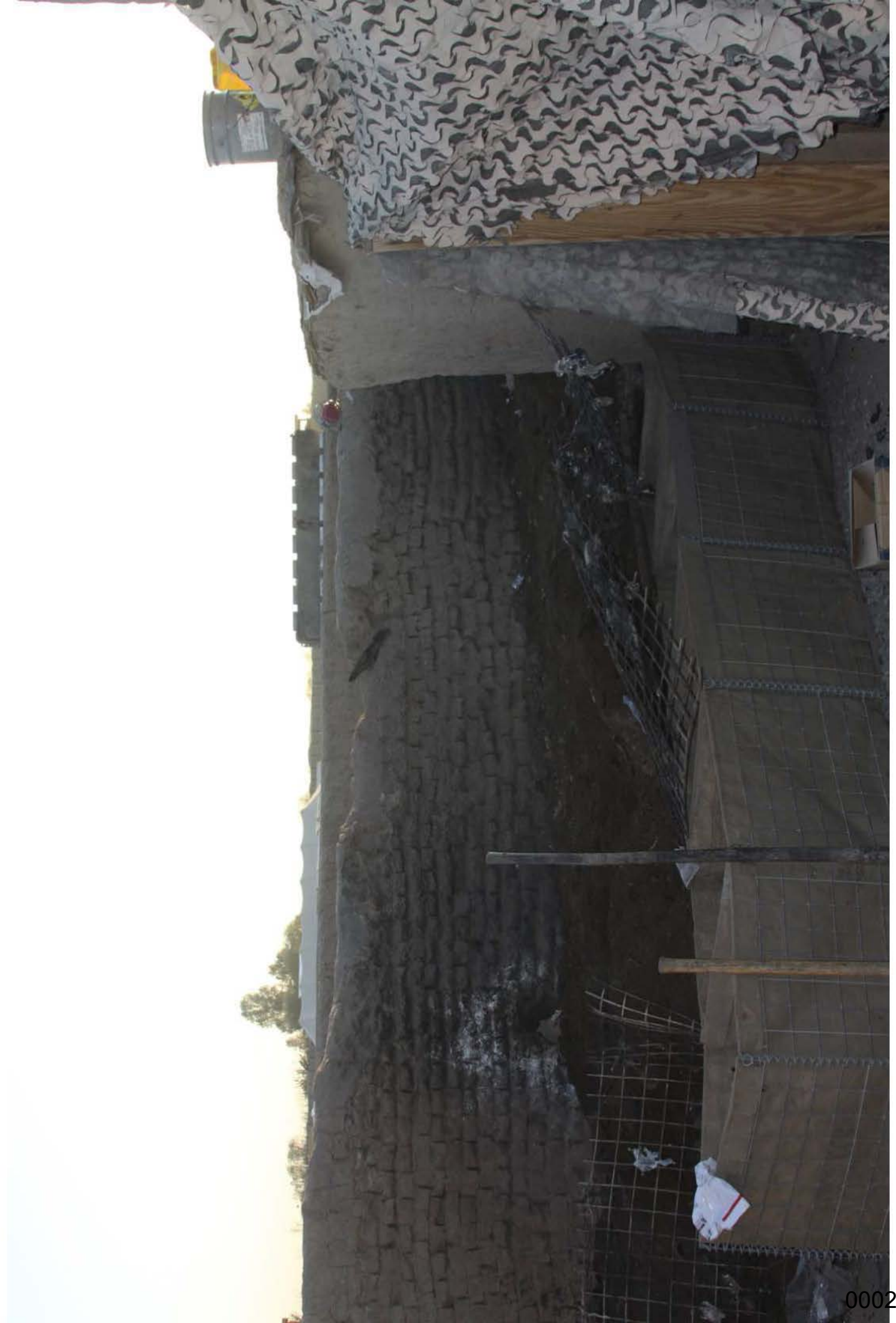






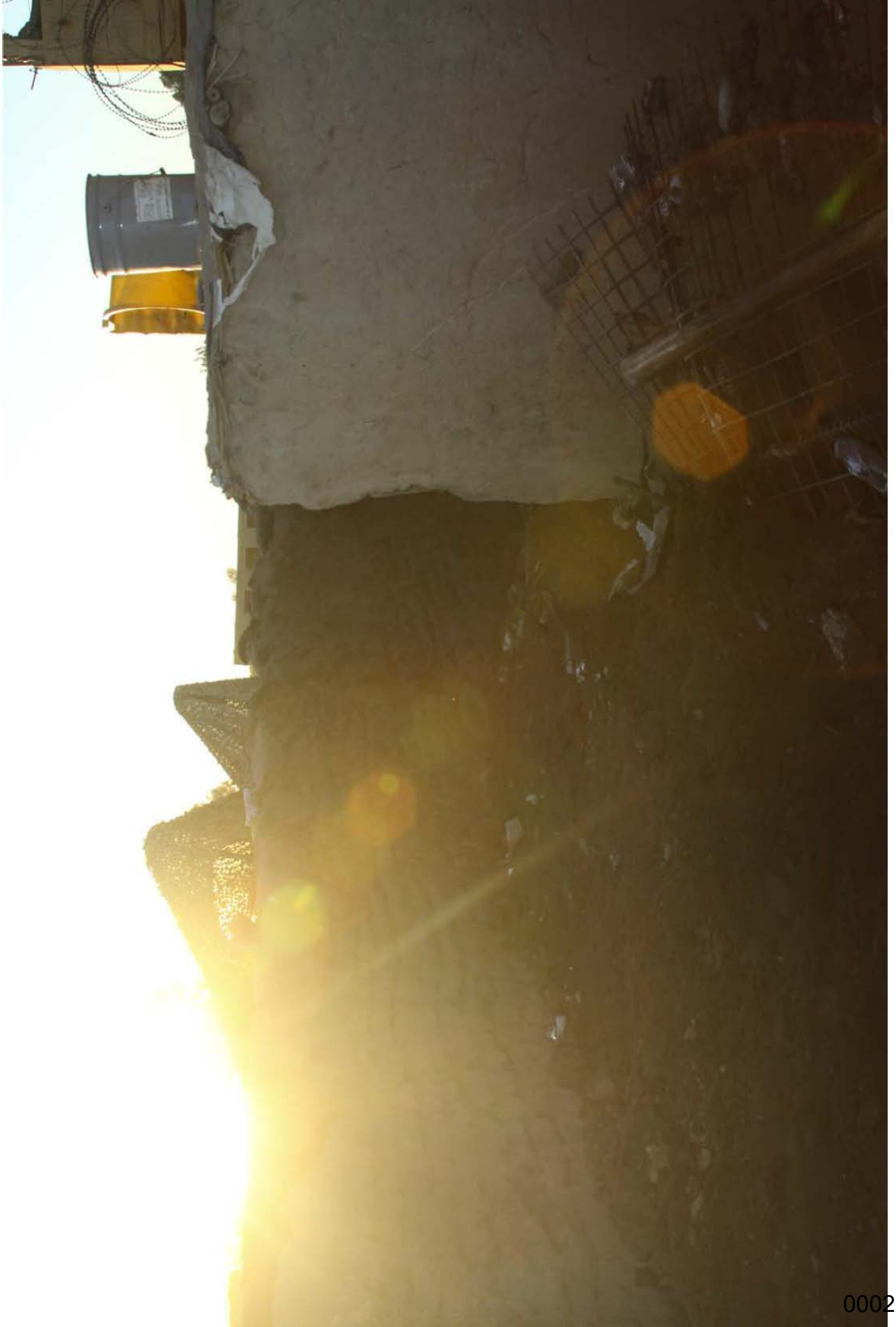






000205























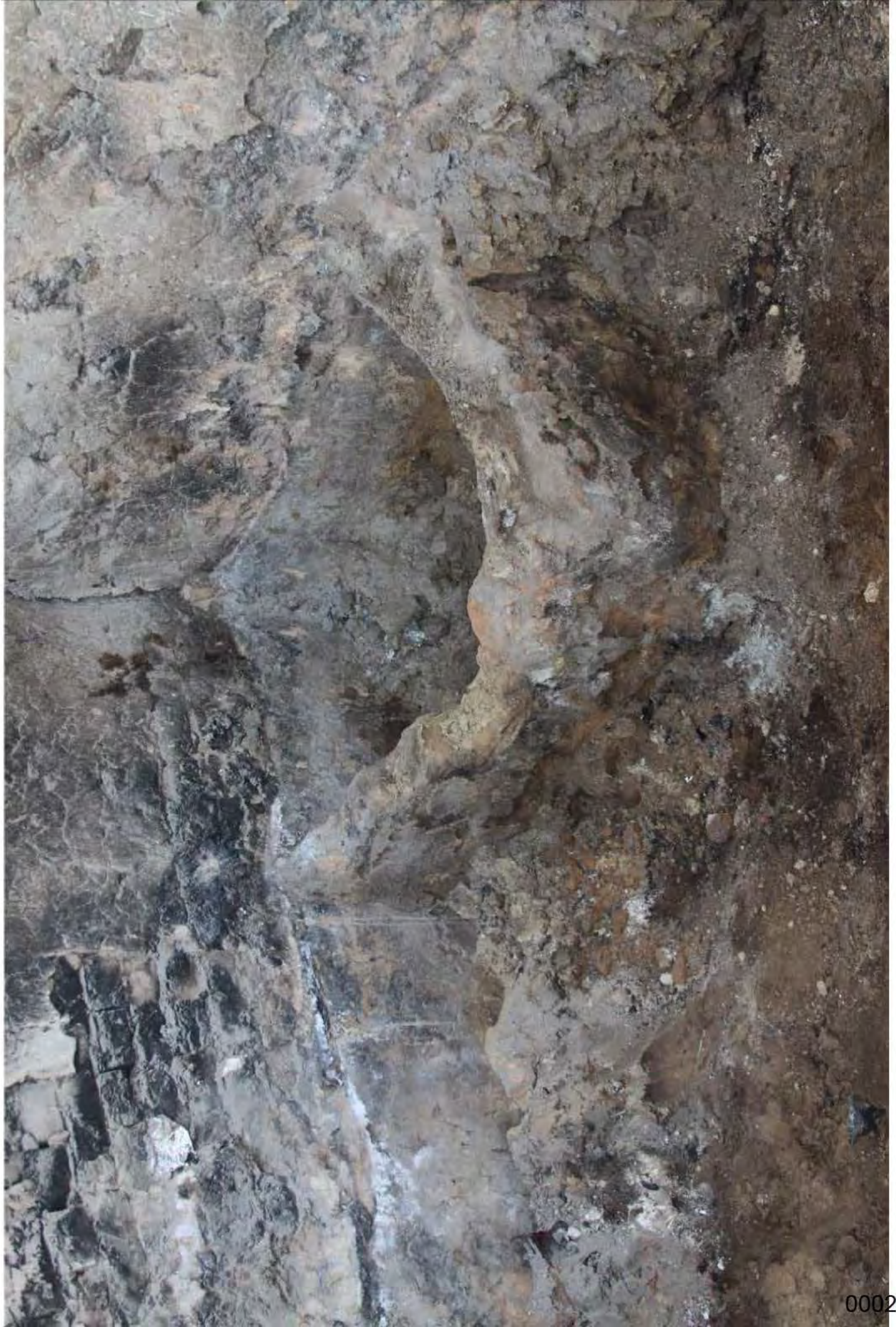












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000216





































000225

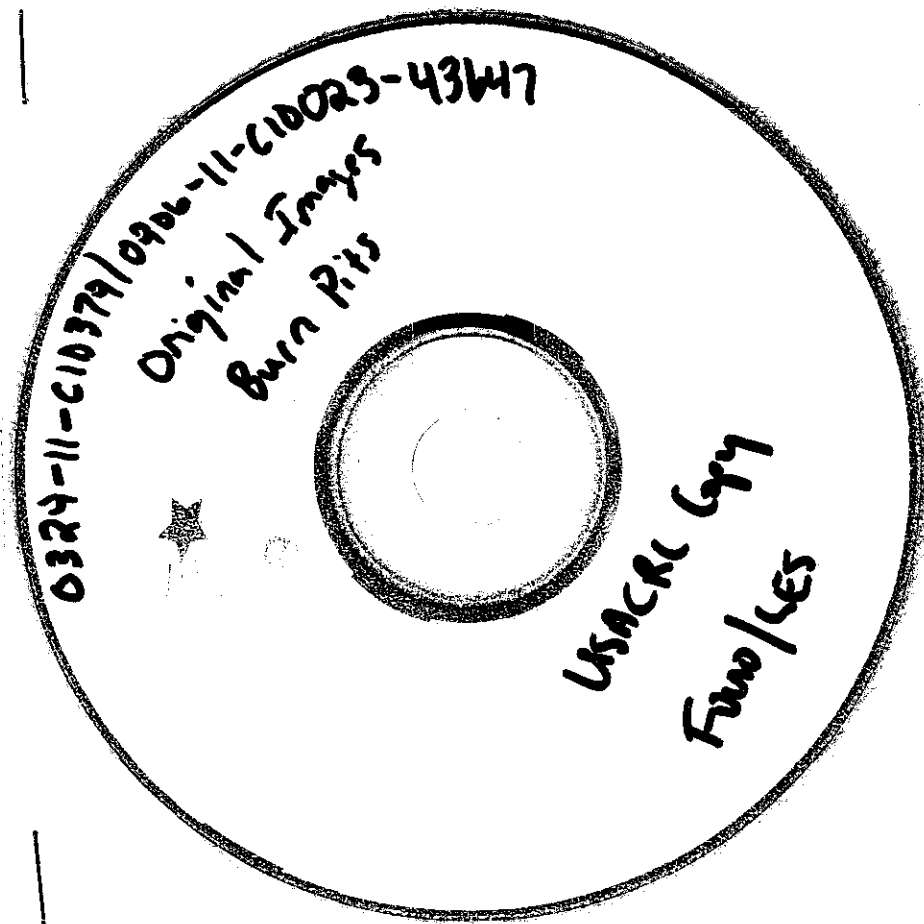




0329-11-CID379/0906-11-CID023-43647

# Photo Packet

## Burn Pits



# USACRC All Images

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Law Enforcement Sensitive

Exhibit 62









































































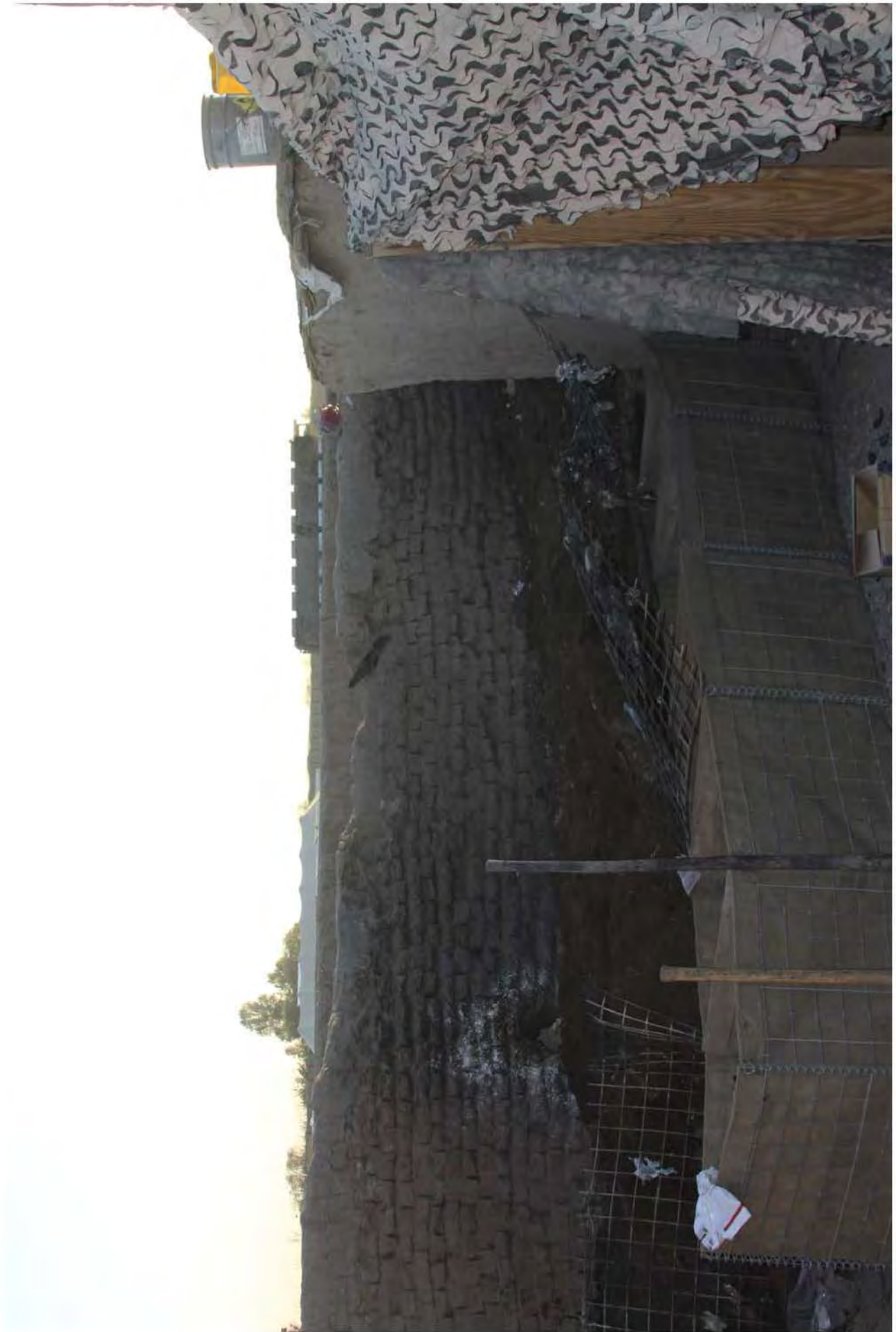






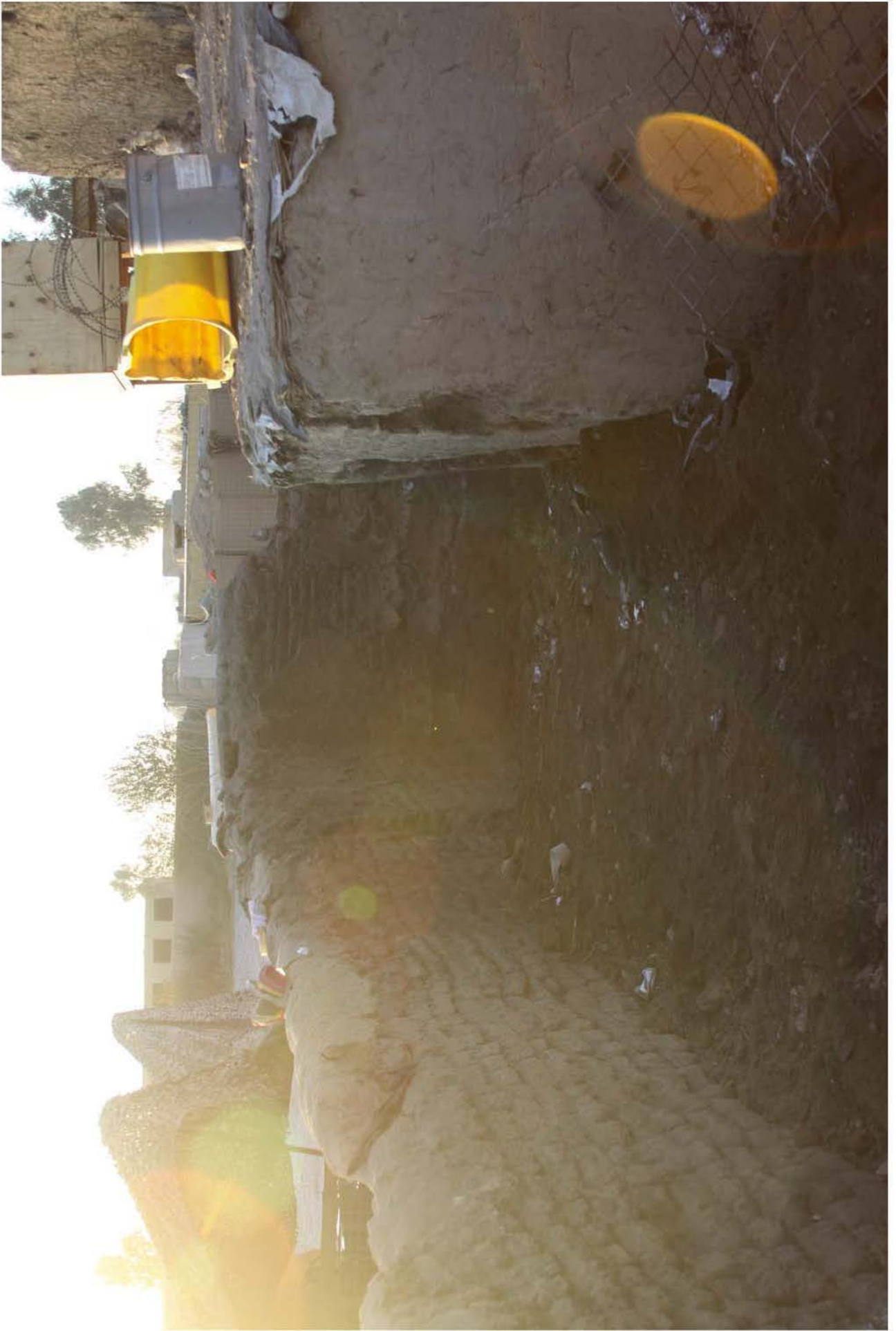






































































































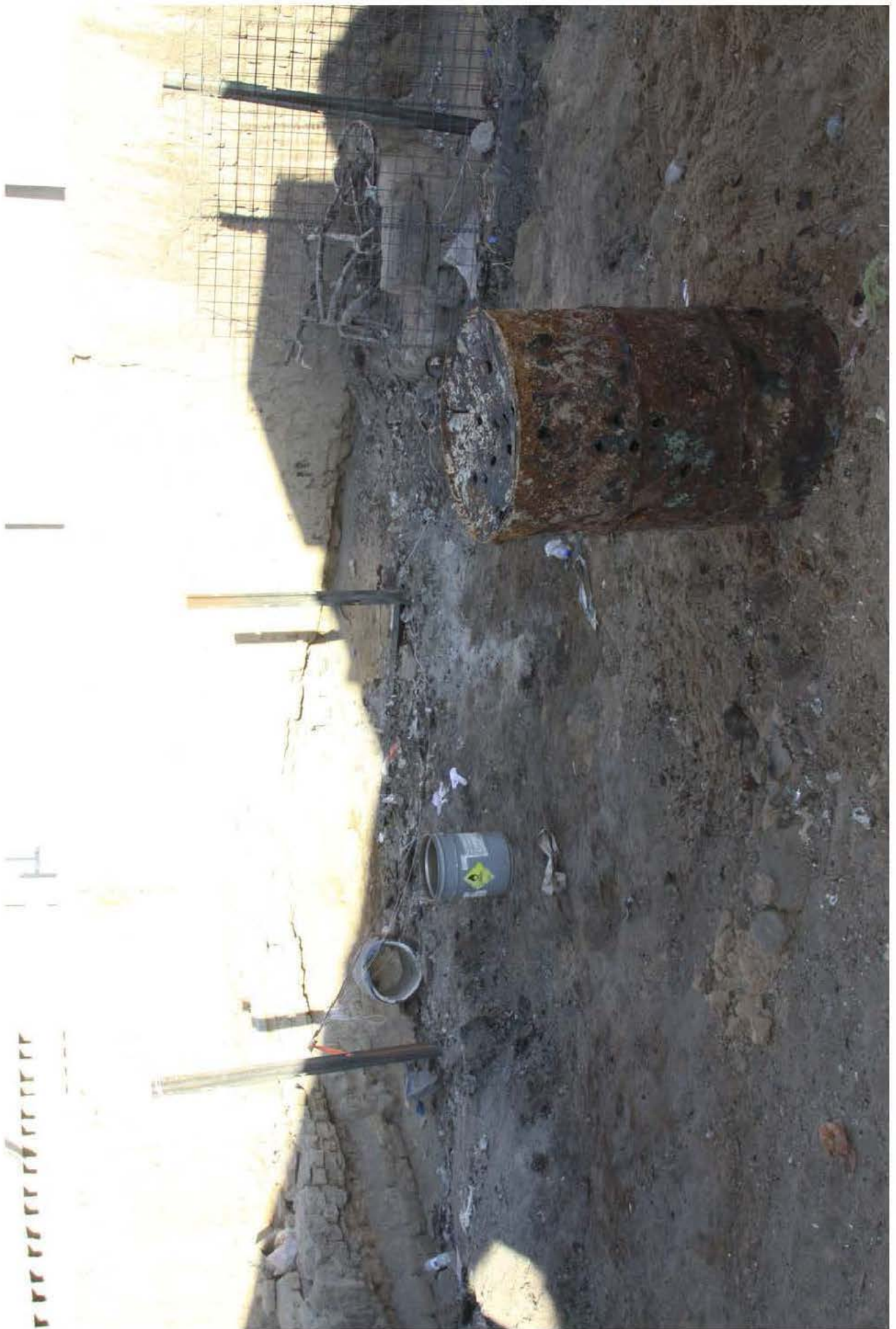














































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**DETAILS**

About 1448, 8 Feb 12, SA (b)(6)(b)(7)(C) coordinated with LT (b)(6)(b)(7)(C) Linguist Manager, CJSOTF, who stated a search of their systems and databases did not reveal any information on an interpreter with the name of (b)(6), (b)(7)(C)

About 1711, 8 Feb 12, SA (b)(6)(b)(7)(C) coordinated with MAJ (b)(6)(b)(7)(C) XXX-XX- (b)(6)(b)(7)(C) Executive Officer, 2nd Battalion, 9 Marine Division, Camp Leatherneck, Afghanistan, who stated they have a shura every week with the local elders; however, they do not always show up.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Kandahar CID Office  
Kandahar Airfield, Afghanistan, APO AE 09355

SIGNATURE

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

DATE

8 Feb 12

EXHIBIT

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**AGENT'S INVESTIGATION REPORT**

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## DETAILS

About 0730, 27 Apr 12, SA (b)(6)(b)(7)(C) coordinated with LTC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Commander, 2 Battalion 9<sup>th</sup> Marines, FOB Hansen, APO AE 09372, who related he would assist this office with anything required to complete this investigation. LTC (b)(6)(b)(7)(C) further related he was in the Marjah District AOR in Feb 2010, and related he remembered the Special Forces (SF) unit at FOB Thunderdome. He never had direct interaction but related he was with the planning team. LTC (b)(6)(b)(7)(C) provided the following names as personnel who had interactions with the SF Team: COL (b)(6)(b)(7)(C) USMC, Regimental Combat Team Leader, last known location was Quantico, VA, (NFI) the SF Team would have reported to him, also LTC (b)(6)(b)(7)(C) USMC, former 1st Battalion 6th Marines Commander, who was the operational Commander for the Marjah District (NFI), who could have information on the SF Teams operations. LTC (b)(6)(b)(7)(C) related he would approve a convoy to move SA (b)(6)(b)(7)(C) to FOB Marjah and link him with Echo Company to move to FOB Azadi (formerly Thunderdome). LTC (b)(6)(b)(7)(C) further related a book was written by Bing WEST (NFI) called "The Wrong War" which had a chapter in it about that SF Team and a CPT (b)(6)(b)(7)(C) (NFI). When asked who could provide information on interpreters assigned to the Marines and SF Team in Feb 2010, LTC (b)(6)(b)(7)(C) related Mission Essential Personnel at KAF would have records of who was assigned to them.

AGENT'S COMMENT: A DEID's check for COL (b)(6)(b)(7)(C) and LTC (b)(6)(b)(7)(C) were conducted which met with negative results. Information obtained from LTC (b)(6)(b)(7)(C) pertaining to the spelling of the names could be inaccurate. Information was provided to SA (b)(6)(b)(7)(C) and use of units at the time and suspected current locations will be utilized to further identify.

About 0820, 27 Apr 12, SA (b)(6)(b)(7)(C) coordinated with Mr. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Biometrics SME, 2/9, FOB Hansen, APO AE 09372, who related the Marine and Army Biometrics Automated Toolset System (BATS) databases were connected and would share information. If the Army Database crashed the Marine Database would still retain the information. SA (b)(6)(b)(7)(C) requested all names be run in BATS thru his database and received the following information:

Rosoul, (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) No hits in the database for Feb 2010.

(b)(6)(b)(7)(C) 1 Hit in the database but not in the Marjah District.

(b)(6)(b)(7)(C) 27 Hits in the database, none were identified as employment as an interpreter.

SA (b)(6)(b)(7)(C) noted on a map in the office an area just West of FOB Azadi named (b)(6)(b)(7)(C) SA (b)(6)(b)(7)(C) requested this spelling be run in BATS which met with negative results.

About 1100, 27 Apr 12, SA (b)(6)(b)(7)(C) coordinated with LTC (b)(6)(b)(7)(C) who related he approved a convoy operation to move SA (b)(6)(b)(7)(C) to FOB Marjah at 1400 today. LTC (b)(6)(b)(7)(C) brought in CPT (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Echo Company Commander, 2/9, FOB Marjah, APO AE 09327, and SA (b)(6)(b)(7)(C) briefed him on what activity is going to be conducted in the area. CPT (b)(6)(b)(7)(C) and LTC (b)(6)(b)(7)(C) both related the best contacts in the FOB Azadi area would be Mr. (b)(6)(b)(7)(C) Afghanistan Local Police Marjah District Commander, Age (b)(6)(b)(7)(C) NFI; and Mr. (b)(6)(b)(7)(C) Precinct Commander, Azadi Police Station, Taskera Number 902710, Cell Phone (b)(6)(b)(7)(C) Age (b)(6)(b)(7)(C) NFI. Mr. (b)(6)(b)(7)(C) was an elder at

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Kandahar CID Office  
Kandahar Airfield, Afghanistan, APO AE 09355

SIGNATURE

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

DATE

11 May 12

EXHIBIT

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**AGENT'S INVESTIGATION REPORT**

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## DETAILS

the village by FOB Azadi during that time and worked with the SF Team and Marines in that area. Mr. (b)(6)(b)(7)(C) also worked with the SF Team and was a leader in the area at that time. If anyone would have known of any wrong doing by the SF Team it would be them, either thru direct knowledge or they would have been told by the community. SA (b)(6)(b)(7)(C) was briefed that if an IED Maker was killed and was known to be a bad guy, the locals and the leaders of that area would not have any quarrels with the U.S. Forces and would not have thought about it twice.

About 1030, 28 Apr 12, SA (b)(6)(b)(7)(C) along with CPT (b)(6)(b)(7)(C) and Interpreter (b)(6)(b)(7)(C) Echo Company, 2/9, FOB Marjah, APO AE 09327, (NFI), conducted a sit down with Mr. (b)(6)(b)(7)(C) Mr. (b)(6)(b)(7)(C) was questioned about his knowledge of the SF Team, any conduct which would have upset the community, and any interactions with CPT GOLSTEYN. Mr. (b)(6)(b)(7)(C) related he remembered the IED incident that killed 2 Marines but also related several other incidents involving IED's and deaths of Marines. The incident that killed 2 Marines he related the suspect of unknown name was killed in a compound during a fire fight. He related the SF Team never did anything that upset the community to his knowledge, and was respected in the area. He did relate he remembered the CPT of the SF Team and called him CPT (b)(6)(b)(7)(C) and worked with him on several occasions. Mr. (b)(6)(b)(7)(C) was asked if he remembered any IED Maker that was killed that stopped the IED's in the area back in 2010. Mr. (b)(6)(b)(7)(C) related an IED Maker by the name of (b)(6)(b)(7)(C) was killed by a bomb from a helicopter, he related (b)(6)(b)(7)(C) was seen on camera setting an IED and an air strike killed him, this stopped the majority of the IED's in this area for awhile. When asked if he knew a (b)(6)(b)(7)(C) or (b)(6)(b)(7)(C) that had been killed he could not provide any information. He further did not know any of the following names: (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) or (b)(6)(b)(7)(C)

AGENTS COMMENT: It was briefed to SA (b)(6)(b)(7)(C) by CPT (b)(6)(b)(7)(C) that Afghanistan Nationals would not remember specific dates and would only be able to generalize time frames.

About 1610, 28 Apr 12, SA (b)(6)(b)(7)(C) along with CPT (b)(6)(b)(7)(C) and Interpreter (b)(6)(b)(7)(C) conducted a sit down with Mr. (b)(6)(b)(7)(C) Mr. (b)(6)(b)(7)(C) was questioned about his knowledge of the SF Team, any conduct which would have upset the community, and any interactions with CPT GOLSTEYN. Mr. (b)(6)(b)(7)(C) related he remembered the CPT of the SF Team as CPT (b)(6)(b)(7)(C) and described him as a short white male with green eyes. He remembered him to be a good guy and had no problems with him or the SF Team. He related there was one incident with a little helicopter that caused damage to the city which upset the community but it did not cause any lasting problems. Mr. (b)(6)(b)(7)(C) related he was former Taliban but when the SF Team and the Marines moved into the Marjah District, CPT (b)(6)(b)(7)(C) approached him and other Tribal Leaders and requested their cooperation with the Coalition Forces. Mr. (b)(6)(b)(7)(C) and others agreed to cooperate and assist them. He remembered Mr. (b)(6)(b)(7)(C) a former tribal leader who was killed along with 4 others by the Taliban for assisting the U.S. Forces, and related it happened about two years ago. When asked if he knew of any IED Makers during this time period that were killed which stopped the IED's, he related there were a lot of IED Makers and Taliban Forces in the area during that time. He related he could not remember a specific IED Makers death, but knew if they were killed the community would not have had problems with it. When asked if there were any IED Makers captured by the SF Team and then ended up missing, he related that several IED Makers were

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Kandahar CID Office  
Kandahar Airfield, Afghanistan, APO AE 09355

SIGNATURE

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

DATE

11 May 12

EXHIBIT

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**AGENT'S INVESTIGATION REPORT**

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## DETAILS

interrogated or identified, and local leaders still loyal to the Taliban would assist them in fleeing the area. He provided several names of IED Makers that were believed to be living in Northern Afghanistan now who resided in the Marjah District during this time. When asked if he knew one by the name of (b)(6), (b)(7)(C) he stated there was one at that time period but was believed to still be alive. He remembered (b)(6), (b)(7)(C) approached the elders and related he had been identified as an IED Maker and Leaders still loyal to the Taliban at the time assisted him in relocating north. Mr. (b)(6)(b)(7)(C) could not provide any other details as to (b)(6), (b)(7)(C) or his current location. When asked if he knew a (b)(6)(b)(7)(C) he related again that there were a lot of Taliban at that time in the area and there could have been but he does not remember. When asked if he remembered an IED incident that killed two Marines by the Azadi Police Station in early 2010, he remembered an incident that he believed killed some Marines, and related the bomb makers names were (b)(6)(b)(7)(C) and Faruq, NFI, who he believed to be alive and living in Northern Afghanistan, he could not provide any further information on the two bomb makers or whether they are still alive.

AGENTS COMMENT: CPT (b)(6)(b)(7)(C) related that Mr. (b)(6)(b)(7)(C) was known to make up stories in hopes to obtain something in return for the information, and not everything could be taken as reliable information especially the longer the meeting went. It was related to Mr. (b)(6)(b)(7)(C) prior to the interview that his cooperation would not provide any measure of gain other than further respect by the US Forces and his community.

About 1715, 3 May 12, SA (b)(6)(b)(7)(C) coordinated with Mr. Mr. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Assistant Site Manager, Mission Essential Personnel (MEP), Kandahar Airfield, APO AE 09355, to obtain any information for an interpreter named (b)(6)(b)(7)(C) or (b)(6)(b)(7)(C) Mr. (b)(6)(b)(7)(C) ran the name (b)(6)(b)(7)(C) which met with negative results. The name (b)(6)(b)(7)(C) came back with three results of interpreters still working in theater, two were not employed until after Feb 2010, the third Mr. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) (NFI) was still employed and was hired Sep 2009. Mr. (b)(6)(b)(7)(C) is currently listed as working at Camp Lawton, and was showing as a U.S. Citizen. Mr. (b)(6)(b)(7)(C) provided contact information for his Military POC and Site Manager.

About 1030, 4 May 12, SA (b)(6)(b)(7)(C) coordinated with Mr. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Assistant Site Manager, MEP, Camp Lawton-Heart, AF, who informed SA (b)(6)(b)(7)(C) that Mr. (b)(6)(b)(7)(C) was currently on leave and would not return until 25 May 12. Mr. (b)(6)(b)(7)(C) related he only knew that Mr. (b)(6)(b)(7)(C) was going to Kansas, and provided (b)(6)(b)(7)(C) as a contact number and (b)(6)(b)(7)(C)@gmail.com as his email address. Mr. (b)(6)(b)(7)(C) related if Mr. (b)(6)(b)(7)(C) is emailed he will respond promptly.

About 2030, 11 May 12, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) Fort Bragg CID Office, who related no further assistance from this office was requested.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6)(b)(7)(C), (b)(7)(E)		Kandahar CID Office	
		Kandahar Airfield, Afghanistan, APO AE 09355	
SIGNATURE		DATE	EXHIBIT
(b)(6)(b)(7)(C)		11 May 12	64

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DETAILS

About 1000, 13 Jun 12, SA (b)(6)(b)(7)(C) met with CPT (b)(6)(b)(7)(C) Staff Judge Advocate (SJA), United States Army Special Forces Command (USASFC), FBNC, and conducted a detailed briefing of all investigative findings conducted throughout entirety of investigation. CPT (b)(6)(b)(7)(C) requested this office engage family members and friends of CPT GOLSTEYN and Mrs (b)(6)(b)(7)(C) to determine if conversations took place regarding confession or if any information was disclosed. CPT (b)(6)(b)(7)(C) further stated he briefed the incoming USASFC SJA, LTC (b)(6)(b)(7)(C) of investigation, wherein LTC (b)(6)(b)(7)(C) stated further coordination's and interviews needed to be conducted prior to final opine decision.

AGENT'S COMMENTS: CPT (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) discussed the possibility of coordination with (b)(6)(b)(7)(C) wherein CPT (b)(6)(b)(7)(C) advised he would conduct a sit-down with LTC (b)(6)(b)(7)(C) to make final decision.

About 1400, 25 Jun 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) drove to CPT GOLSTEYN's residence in efforts to conduct an interview of Mrs. (b)(6)(b)(7)(C) Upon arrival, SA (b)(6)(b)(7)(C) identified CPT GOLSTEYN's truck in the driveway and an unknown red jeep was parked in front of the residence on the street. SA (b)(6)(b)(7)(C) contacted the Provost Marshal's Office (PMO) and conducted a license plate check, which came back to a Mr. (b)(6)(b)(7)(C)

AGENT'S COMMENTS: SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) did not make contact with Mrs. (b)(6)(b)(7)(C) due to CPT GOLSTEYN being at the residence and the possibility of conflict if attempt made.

About 1225, 27 Jun 12, SA (b)(6)(b)(7)(C) received the Department of Defense Inspector General (DoDIG) Subpoena from Ms. (b)(6)(b)(7)(C) Investigative Review Specialist, Policy and Programs Directorate, DoDIG, which consisted of: Custodian Letter, Certificate of Compliance, DoDIG Subpoena Initial Issuance Memo, and the IG Subpoena.

About 1500, 27 Jun 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) conducted a non-custodial interview of Mrs. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) (Dependant Spouse of CPT GOLSTEYN), (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) who stated she knew of the investigation, but she would not answer any questions. SA (b)(6)(b)(7)(C) thanked Mrs (b)(6)(b)(7)(C) for her time and departed the residence with SA (b)(6)(b)(7)(C)

AGENT'S COMMENTS: Upon arrival, CPT GOLSTEYN answered the door and told SA (b)(6)(b)(7)(C) "Dude, get out of here," wherein SA (b)(6)(b)(7)(C) asked to speak to Mrs. (b)(6)(b)(7)(C) as he had asked before so it could have been done telephonically. CPT GOLSTEYN then called his wife to the door and walked back into the residence.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGN

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

DATE

5 JUL 12

EXHIBIT

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

*CID Regulation 195-1*

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PAGE 2 OF 2 PAGE(S)

DETAILS

About 1530, 27 Jun 12, SA (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) conducted a non-custodial interview of Mr. (b)(6)(b)(7)(C) and his daughter, Ms. (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) who stated Ms. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) (Sister of CPT GOLSTEYN) was kicked out of the residence approximately one month prior. Mr. (b)(6)(b)(7)(C) stated Ms. (b)(6)(b)(7)(C) resided with them for approximately two to three months, but she continually broke rules of the home and was subsequently asked to leave. Mr. (b)(6)(b)(7)(C) and Ms. (b)(6)(b)(7)(C) stated they knew Ms. (b)(6)(b)(7)(C) had a brother, but did not know his name and they never met any of her family. Mr. (b)(6)(b)(7)(C) did state that Ms. (b)(6)(b)(7)(C) worked at the Carraba's Italian Bistro, 4209 Sycamore Dairy Road, Fayetteville, NC 28303. Mr. (b)(6)(b)(7)(C) and Ms. (b)(6)(b)(7)(C) were unable to provide pertinent information towards the investigation.

About 1600, 28 Jun 12, during an administrative review of the case file, it was identified video interviews conducted of SFC (b)(6)(b)(7)(C) and SFC (b)(6)(b)(7)(C) did not record properly. During a review of the DVD of SFC (b)(6)(b)(7)(C) interview by SA (b)(6)(b)(7)(C) this office, it was identified the interview had solely video for the first 13 minutes and 18 seconds before audio began to work. The interview of SFC (b)(6)(b)(7)(C) was not recorded at all and could not be located through a systems check of internal recordings of this office.

About 0920, 5 Jul 12, this office received the Final Information Report, CID Case #0459-12-CID033, from the Fort Campbell CID Office, 2747 29th Street, Fort Campbell, KY 42223, which contained the Agent's Investigation Report of SA (b)(6)(b)(7)(C) and the interview worksheet of SSG (b)(6)(b)(7)(C) //LAST ENTRY//

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6)(b)(7)(C)		FORT BRAGG CID OFFICE	
		FORT BRAGG, NC 28310	
SIGNATURE	DATE	EXHIBIT	
(b)(6)(b)(7)(C)	5 JUL 12	65	

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AGENT'S INVESTIGATION REPORT		ROI NUMBER (0906-12-CID023-43647)	
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		PAGE 1 of 1	
<p>This office received a Request For Assistance (RFA) from the Fort Bragg CID Office requesting this office locate, fully identify and conduct a witness interview of SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Headquarters and Headquarters Company (HHC), 1/160th Special Operations Aviation Regiment, Fort Campbell, KY 42223 (FCKY) pertaining to a war crimes investigation.</p> <p>About 1630, 26 Jun 12, SA (b)(6)(b)(7)(C) this office, and SA (b)(6)(b)(7)(C) interviewed SSG (b)(6)(b)(7)(C) who related that he did not know or know of anyone named CPT GOLSTEYN and that he had no relatives in the military. SSG (b)(6)(b)(7)(C) stated that he has an ex-wife, first name (b)(6)(b)(7)(C) whom was listed in the report as a possible family member of CPT GOLDSTEYN. SSG (b)(6)(b)(7)(C) stated he lived with (b)(6)(b)(7)(C) while he was stationed at Fort Benning, GA and they obtained a legal divorce in 2003. He further stated that he has not had any contact with his ex-wife and does not know her status or whereabouts currently.</p> <p>About 1652, 26 Jun 12, SA (b)(6)(b)(7)(C) coordinated with the requesting office who stated no further investigative activity was requested of this office.///LAST ENTRY///</p>			
TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6)(b)(7)(C), (b) (7)(E)		31 <sup>st</sup> Military Police Detachment (CID)	
SIGN (b)(6)(b)(7)(C)		Fort Campbell, KY 42223	
		DATE	EXHIBIT
		26 Jun 12	66

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DETAILS

About 0900, 18 Jul 12, SA (b)(6)(b)(7)(C) CPT (b)(6)(b)(7)(C) United States Army Special Forces Command (USASFC) Staff Judge Advocate (SJA), and MAJ (b)(6)(b)(7)(C) SJA, 3rd Special Forces Group (SFG), conducted a review of CPT GOLSTEYN's polygraph examination at the Central Intelligence Agency (CIA) Annex, 13900 Air and Space Museum Parkway, Herndon, VA.

About 1400, 18 Jul 12, CPT (b)(6)(b)(7)(C) coordinated with [REDACTED]

About 0730, 20 Jul 12, SA (b)(6)(b)(7)(C) conducted a briefing with LTC (b)(6)(b)(7)(C) Senior SJA, and CPT (b)(6)(b)(7)(C) both of USASFC and MAJ (b)(6)(b)(7)(C) SJA, 3rd SFG, wherein the following information was determined:

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

S

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

DATE

20 JUL 12

EXHIBIT

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DETAILS

About 0900, 23 Aug 12, SA (b)(6)(b)(7)(C) conducted a re-interview of HM3 (b)(6)(b)(7)(C) Corpsman, wherein HM3 (b)(6)(b)(7)(C) provided a detailed summary of the capture of an unnamed bomb-maker within a week after the explosion which killed SGT MCQUEARY and LCPL JOHNSON. HM3 (b)(6)(b)(7)(C) stated CPT GOLSTEYN and a few members of his ODA team had entered the home of the bomb-maker, stayed for approximately 15-20 minutes, and exited the home with the man handcuffed by zip-ties. HM3 (b)(6)(b)(7)(C) stated CPT GOLSTEYN and his team walked the man to a village elder's home, whom HM3 (b)(6)(b)(7)(C) was unable to recall his name, and the man was released to the village elder. HM3 (b)(6)(b)(7)(C) stated he returned to FOB MCQUEARY with the team because CPT GOLSTEYN had become dehydrated and he assisted SSG (b)(6)(b)(7)(C) with administering a saline bag to help him recuperate. HM3 (b)(6)(b)(7)(C) stated SSG (b)(6)(b)(7)(C) explained at that time what had occurred with the bomb-maker and that an unknown agreement was made between CPT GOLSTEYN and the village elder that the man would no longer engage in insurgent activities. HM3 (b)(6)(b)(7)(C) further stated that the same village elder and bomb-maker were on FOB MCQUEARY a couple days later and the man was released. HM3 (b)(6)(b)(7)(C) stated he had not physically seen these actions, but some of his fellow Marines had discussed it which frustrated them if this man had been responsible for the IED explosion.

HM3 (b)(6)(b)(7)(C) advised that there may have been two other gates on the installation; one identified as a walk-thru in the back but he was unsure of where the path led and another vehicle gate may have been on the North side of FOB MCQUEARY and provided a hand-drawn sketch of the locations. HM3 (b)(6)(b)(7)(C) could not recall exactly and stated he would look through pictures he had taken to clarify the existence of additional gates. HM3 (b)(6)(b)(7)(C) provided names of additional Marines who were drivers and dog handlers at FOB MCQUEARY, identified as:

- CPL (b)(6)(b)(7)(C) (Dog Handler) Possibly with the 8th Engineer Support Battalion
- CPL (b)(6)(b)(7)(C) (Marine Attack Force) (b)(6)(b)(7)(C)
- CPL (b)(6)(b)(7)(C) (ETS) (b)(6)(b)(7)(C)
- (b)(6)(b)(7)(C) (Driver and ETS'd)
- (b)(6)(b)(7)(C) (Driver and ETS'd)
- (b)(6)(b)(7)(C) (Driver and ETS'd)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

23 AUG 12

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AGENT'S INVESTIGATION REPORT

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DETAILS

AGENT'S COMMENTS: The interview of HM3 (b)(6)(b)(7)(C) was recorded with video and audio at the Camp Lejeune Naval Criminal Investigative Service (NCIS), Carolina Field Office, Camp Lejeune, NC.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

23 AUG 12

EXHIBIT

68

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

Case 11-11023 - 4364)

23 Aug 12

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



Exhibit 69

## Exhibit 70

Page(s) 000297 withheld.

5 U.S.C. § 552(b)(6), (b)(7)(C)  
Third Party Information



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PAGE 1 OF 3 PAGE(S)

DETAILS

About 1220, 27 Aug 12, SA (b)(6)(b)(7)(C) conducted a telephonic interview of LCPL (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 2nd Engineer Support Battalion (ESB), Camp Lejeune, NC 28542 (CLNC), who related he was assigned as a driver while deployed to FOB MCQUEARY in Feb 10, but never communicated with CPT GOLSTEYN or members of the ODA. LCPL (b)(6)(b)(7)(C) stated he had no knowledge of any known bomb-makers being captured, interrogated, or killed while he served at FOB MCQUEARY. LCPL (b)(6)(b)(7)(C) did relate a second vehicle gate was located on the north side of the compound and became used more often due to easier mobility for ingress/egress.

AGENT'S COMMENTS: LCPL (b)(6)(b)(7)(C) is currently out of the military and with the Individual Ready Reserve (IRR) for the Marine Corps and lives in Michigan.

About 1340, 27 Aug 12, SA (b)(6)(b)(7)(C) conducted a telephonic interview of Mr. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Marine IRR, (b)(6)(b)(7)(C) Formerly CPL (b)(6)(b)(7)(C) 2nd ESB, CLNC), who stated he worked in the capacity of a driver while deployed in Feb 10 to FOB MCQUEARY. Mr. (b)(6)(b)(7)(C) stated he recalled after the explosion which killed SGT MCQUEARY and LCPL JOHNSON, a local village elder came into the clinic they ran and provided specific details to the location of the individual responsible for the explosion. Mr. (b)(6)(b)(7)(C) stated CPT GOLSTEYN provided a verbal brief to his teammates, Mr. (b)(6)(b)(7)(C) SGT (b)(6)(b)(7)(C) SGT (b)(6)(b)(7)(C) (Engineer Sweeper), and (b)(6)(b)(7)(C) (NFI), which provided details for the known bomb-maker allegedly responsible for the explosion and resulted in a foot patrol conducted. The mission centered on a known home which Mr. (b)(6)(b)(7)(C) and his Marine elements secured with an outer and inner perimeter while CPT GOLSTEYN and a few Marine and ODA members entered the residence. Mr. (b)(6)(b)(7)(C) stated they were fired upon by an unknown gunman from an unknown location, but the mission continued. Mr. (b)(6)(b)(7)(C) stated CPT GOLSTEYN emerged from the residence and advised there were multiple crates and boxes of bomb-making materials which were escorted back to FOB MCQUEARY. No individual was captured at the time and Mr. (b)(6)(b)(7)(C) believed nobody was home during the time of the search. Mr. (b)(6)(b)(7)(C) recalled a mission where CPT GOLSTEYN and his team had captured a man and turned him over to a village elder, but the memory was very difficult to recollect. Mr. (b)(6)(b)(7)(C) stated he recollected CPT GOLSTEYN may have said the name "(b)(6)(b)(7)(C)" during the brief, but could not recall for sure. Mr. (b)(6)(b)(7)(C) could not recall when an insurgent was brought back to FOB MCQUEARY, but did remember the Afghanistan National Army (ANA), Sergeant Major (SGM) had conducted an interrogation of an alleged known bomb-maker sometime before or after the explosion.

AGENT'S COMMENTS: Mr. (b)(6)(b)(7)(C) stated he would cooperate with this investigation and would provide a written statement when required by this office.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

6 SEP 12

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DETAILS

About 1530, 27 Aug 12, SA (b)(6)(b)(7)(C) conducted a telephonic interview of CPL (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) 2nd Combat Engineer Battalion (CEB), 2nd Marine Division, CLNC, who stated he had no recollection of the capture or mission to capture a known bomb-maker. CPL (b)(6)(b)(7)(C) related he worked as the Mark 19 gunner for the medical vehicle and was not privy to briefing information very often. CPL (b)(6)(b)(7)(C) stated he recalled a night mission conducted by CPT GOLSTEYN shortly after the explosion to capture someone, but he was not part of the mission and had could not provide further details.

AGENT'S COMMENTS: CPL (b)(6)(b)(7)(C) is currently on terminal leave and would have a new permanent address of (b)(6)(b)(7)(C)

About 1700, 2 Sep 12, SA (b)(6)(b)(7)(C) interviewed CPL (b)(6)(b)(7)(C) in his home in Fort Madison, IA, wherein he reiterated his previous statement of two separate missions within one week of explosion which killed SGT MCQUEARY and LCPL JOHNSON where CPT GOLSTEYN led the unit to collect bomb-making materials from a Afghani residence and returned the next day to capture a known bomb-maker.

AGENT'S COMMENTS: SA (b)(6)(b)(7)(C) recorded the interview of CPL (b)(6)(b)(7)(C) for audio with his permission. The recording will subsequently be placed on a compact disc and placed into case file. Additionally, CPL (b)(6)(b)(7)(C) provided a hand-drawn sketch of FOB MCQUEARY which detailed the location of a second gate.

About 1200, 4 Sep 12, SA (b)(6)(b)(7)(C) conducted a telephonic interview of CPL (b)(6)(b)(7)(C) Dog Handler, Combat Logistics Regiment, Camp Lejeune, NC, who stated he could not recall the capture of an insurgent, but remembered GOLSTEYN briefing the name (b)(6)(b)(7)(C) prior to a patrol.

About 1625, 4 Sep 12, SA (b)(6)(b)(7)(C) interviewed CPT (b)(6)(b)(7)(C) near his residence, wherein CPT (b)(6)(b)(7)(C) stated he has remained in contact with CPT GOLSTEYN, but had no knowledge of the incident being investigated by this office. CPT (b)(6)(b)(7)(C) stated he rarely went out on the missions, but CPT GOLSTEYN kept him up to date as much as possible. CPT (b)(6)(b)(7)(C) related during a recent telephonic conversation with CPT GOLSTEYN that he was becoming frustrated with this investigation, but would not go into detail of the specifics regarding the investigation.

AGENT'S COMMENTS: The interview of CPT (b)(6)(b)(7)(C) was verbal as information was same as provided in initial statement to the Naval Criminal Investigative Service (NCIS).

About 0930, 6 Sep 12, SA (b)(6)(b)(7)(C) coordinated with the Records Division, Plano Police Department (PPD), 909 14th Street, Plano, TX 75074, and obtained an Incident/Arrest Report pertaining to SSG (b)(6)(b)(7)(C) from Dec 11, wherein he was arrested for Interference with Law Enforcement. The report by the

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6)(b)(7)(C), (b)(7)(E)		FORT BRAGG CID OFFICE	
		FORT BRAGG, NC 28310	
SIGNATURE	DATE	EXHIBIT	
(b)(6)(b)(7)(C)	6 SEP 12	71	



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DETAILS

police officer stated SSG (b)(6)(b)(7)(C) made spontaneous comments enroute to the police department wherein he stated the officer was a "pussy" and "couldn't possibly done what he has done with killing Afghanis."

About 1145, 6 Sep 12, SA (b)(6)(b)(7)(C) coordinated with Mrs. (b)(6)(b)(7)(C) Business Manager, Northside at Legacy Apartments, 7560 Bishop Road, Plano, TX 75024, determined SSG (b)(6)(b)(7)(C) had moved out in May 12 to Kansas City, MO.

About 1410, 6 Sep 12, SA (b)(6)(b)(7)(C) interviewed Mrs. (b)(6)(b)(7)(C) Supervisor, Community Supervision and Corrections Department, 900 East Park Boulevard, Plano, TX 75074, who stated SSG (b)(6)(b)(7)(C) failed to report for his mandatory sentencing for probation and an arrest warrant would be issued.  
///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

6 SEP 12

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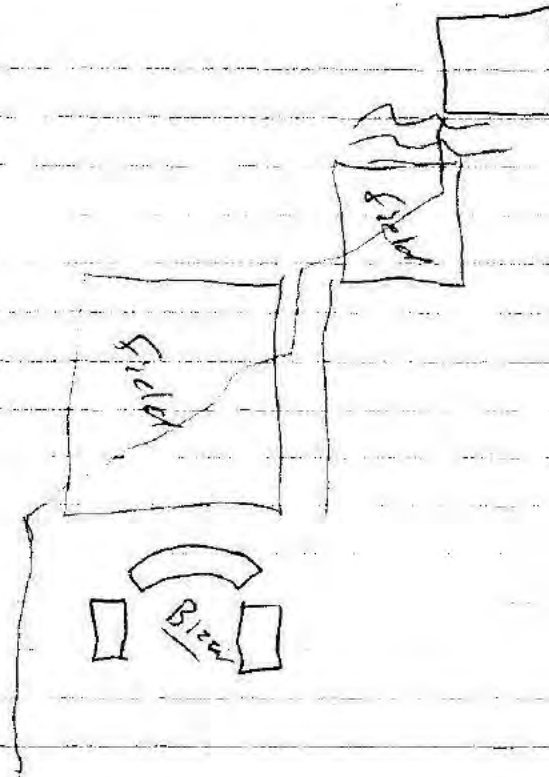
000300

## Exhibit 72

Page(s) 000301 withheld.

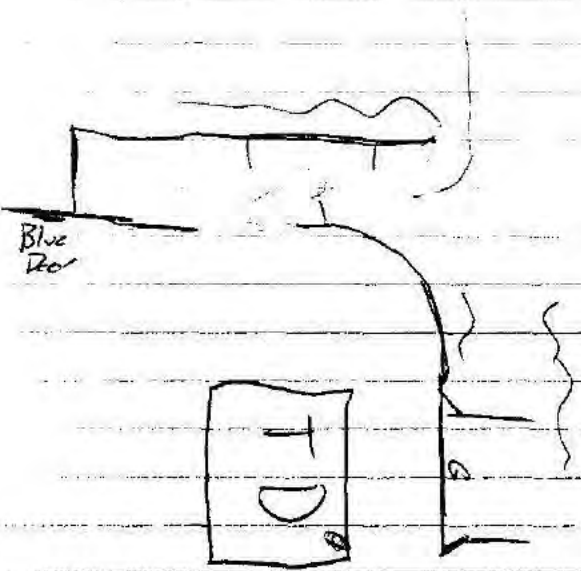
5 U.S.C. § 552(b)(6), (b)(7)(C)  
Third Party Information





(b)(6)(b)(7)(C)  
(b)(6)(b)(7)(C)  
(b)(6)(b)(7)(C)  
20120902 1638

Field  
XVII



## EXHIBIT(s) 74

Page(s) 000303 thru 000314 withheld:

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909 14<sup>th</sup> Street  
P.O. Box 860358  
Plano, Texas 75086-0358



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AGENT'S INVESTIGATION REPORT

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DETAILS

About 1239, 25 Sep 12, SA (b)(6)(b)(7)(C) received email notification from Mrs. (b)(6)(b)(7)(C) Supervisor, Community Supervision and Corrections Department, 900 East Park Boulevard, Plano, TX 75074, who related SSG (b)(6)(b)(7)(C) case was pled down to a Class C Misdemeanor for his offense of Interference with Law Enforcement in Dec 11, he was not actually required to report for probation as she initially stated. Mrs. (b)(6)(b)(7)(C) stated SSG (b)(6)(b)(7)(C) was not required to process through the Collin County Jail, 4700 Community Boulevard, McKinney, TX, after the court hearing; therefore, any probated sentence was permitted to expire as long as SSG (b)(6)(b)(7)(C) had no further infractions of the law. Mrs. (b)(6)(b)(7)(C) stated her office would take no action against SSG (b)(6)(b)(7)(C) due to this information.

About 1235, 26 Sep 12, SA (b)(6)(b)(7)(C) telephonically interviewed Officer (b)(6)(b)(7)(C) Arresting Officer, PPD, Plano, TX, who stated he recalled the incident with SSG (b)(6)(b)(7)(C) and the comments made regarding Afghanistan. Officer (b)(6)(b)(7)(C) stated SSG (b)(6)(b)(7)(C) was heavily intoxicated and while being transported in his police cruiser to the police station, SSG (b)(6)(b)(7)(C) continuously used profanity and called him names and repeatedly told him how he killed Afghanis during his deployments. Officer (b)(6)(b)(7)(C) stated he recalled a separate alcohol-related incident where SSG (b)(6)(b)(7)(C) was present, but not cited for any offense.

AGENT'S COMMENTS: Officer (b)(6)(b)(7)(C) could not recall if SSG (b)(6)(b)(7)(C) made any omissions of specific killings, but believed the entire rant by SSG (b)(6)(b)(7)(C) was caught on videotape and would attempt to locate it in the PPD archives.

About 1426, 27 Sep 12, this office received the Final Information Report, CID Case #0030-12-CID343, from SA (b)(6)(b)(7)(C) Special Operations Task Force (SOTF)(CID), FBNC, who interviewed and obtained a sworn statement from SFC (b)(6)(b)(7)(C) United States Army Special Operations Command (USASOC) Headquarters (HQ), FBNC, who was the roommate of SSG (b)(6)(b)(7)(C) SFC (b)(6)(b)(7)(C) stated he had known SSG (b)(6)(b)(7)(C) since 2007 when they met at the "Q" Course for Special Forces (SF) training. SFC (b)(6)(b)(7)(C) stated he asked SSG (b)(6)(b)(7)(C) about the situation as many rumors had surfaced in the workplace, wherein SSG (b)(6)(b)(7)(C) had told him that he was not involved and had no knowledge of the incident.

AGENT'S COMMENTS: SFC (b)(6)(b)(7)(C) related SSG (b)(6)(b)(7)(C) recently returned to active duty status and was residing with him currently.

About 1330, 27 Sep 12, SA (b)(6)(b)(7)(C) interviewed SSG (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) Special Warfare and Center School (SWCS), FBNC, who provided a verbal statement wherein he stated he had no knowledge of the incident CPT GOLSTEYN described in (b)(6)(b)(7)(C) SSG (b)(6)(b)(7)(C) refuted all information about his knowledge of the capture of (b)(6)(b)(7)(C) or any other insurgent and

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

27 SEP 12

EXHIBIT

75

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

*CID Regulation 195-1*

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PAGE 2 OF 2 PAGE(S)

DETAILS

stated information identified through interviews was false. SSG (b)(6)(b)(7)(C) continually stated "I was not part of any killing," but would not answer directly the questions of having any knowledge at all. SSG (b)(6)(b)(7)(C) stated he was contacted by unknown individuals in Dec 11 after talking to SA (b)(6)(b)(7)(C) which caused him to obtain legal representation. SSG (b)(6)(b)(7)(C) was unable to recall whom he spoke to in the one day time frame from being contacted by SA (b)(6)(b)(7)(C) to obtaining legal representation, but stated he knew he did not contact CPT GOLSTEYN or MSG (b)(6)(b)(7)(C) because he knew MSG (b)(6)(b)(7)(C) had family issues with his grandmother.

SSG (b)(6)(b)(7)(C) was offered the opportunity to undergo a polygraph examination regarding the truthfulness of his verbal statement. SSG (b)(6)(b)(7)(C) declined to undergo a polygraph examination stating his verbal statement was truthful enough.

AGENT'S COMMENTS: SSG (b)(6)(b)(7)(C) related he returned to Active Duty Status on 12 Sep 12, and had moved from Plano, TX to Kansas City, MO for work purposes. SSG (b)(6)(b)(7)(C) stated he went to Minnesota to visit family prior to re-entering the military. SSG (b)(6)(b)(7)(C) declined to conduct a sworn statement or allow the interview to be recorded for either audio or video.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

27 SEP 12

EXHIBIT

75



# AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER 0906-11-CID023-4367

0030-12-CID343

Page 1 of 1 Pages

## DETAILS

**Basis For Investigation:** This office was notified by SA (b)(6)(b)(7)(C) Fort Bragg CID Office, 8-1221 Randolph Street, Fort Bragg, NC 28310, who requested this office fully identify, conduct a witness interview and obtain a sworn statement from SFC (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) USASOC HQ, Fort Bragg, NC 28307, which concerned an investigation into the murder of an Afghani unarmed combatant.

About 1823, 26 Sep 12, SA (b)(6)(b)(7)(C) interviewed SFC (b)(6)(b)(7)(C) wherein he provided a sworn statement which detailed his knowledge of the incident. SFC (b)(6)(b)(7)(C) further explained his relationship with SSG (b)(6)(b)(7)(C) (NFI), and that SSG (b)(6)(b)(7)(C) currently resides with him at (b)(6)(b)(7)(C). SFC (b)(6)(b)(7)(C) related SSG (b)(6)(b)(7)(C) name never came up when the investigation was mentioned through rumors at 3<sup>rd</sup> Special Forces Group (Airborne), Fort Bragg, NC, when he was assigned there. SFC (b)(6)(b)(7)(C) stated SSG (b)(6)(b)(7)(C) did contact him from Dallas, TX, and ask if he had heard anything about the investigation. SFC (b)(6)(b)(7)(C) stated SSG (b)(6)(b)(7)(C) gave him no information other than he was not involved.

AGENT COMMENT: The correct spelling of the name mentioned in the question and answer section of the sworn statement of SFC (b)(6)(b)(7)(C) is GOLDSTEYN and not GOLDSTEIN as documented in the narrative section of the statement. ///LAST ITEM///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6)(b)(7)(C), (b) (7)(E)		SOTF-CID Fort Bragg, NC 28307	
SIGNATURE	(b)(6)(b)(7)(C)	DATE	EXHIBIT
		26 September 2012	76
CID FO			

000317

Case Number 0030-12-CID343

Statement of: (b)(6)(b)(7)(C) Taken at: Fort Bragg, NC Dated: 26 September 2012  
Continued

**SWORN STATEMENT**LOCATION: Fort Bragg, NC 28307FILE NUMBER: RFA 0030-12-CID343 (0906-11-CID023-43647)DATE: 26 Sep 12TIME: 1823 HRNAME: (b)(6)(b)(7)(C)SSAN: XXX-XX (b)(6)(b)(7)(C)GRADE/RANK: SFCORGANIZATION OR ADDRESS: USASOC HQ, Fort Bragg, NC 28307

(b)(6)(b)(7)(C)  
I, (b)(6)(b)(7)(C) want to make the following statement under oath:  
I SFC (b)(6)(b)(7)(C) have known SSG (b)(6)(b)(7)(C) since we met in the Q course in 2007. He and I were assigned to the same BN and then the same Company. (b)(6)(b)(7)(C) and I were both in the market for a new place to live and we decided to get a house together in Southern Pines. (b)(6)(b)(7)(C) and I quickly became the best of friends. I have come to know his family and friends and there is not a person out there that would say anything but great things about (b)(6)(b)(7)(C). His career and mine took similar paths and we both ended being deployed together in 2009. (b)(6)(b)(7)(C) went with his ODA and I went with mine. Well before the rotation, (b)(6)(b)(7)(C) began making plans to leave the Army and return to the civilian world. He was intent on moving to Texas and finding a job in the medical device sales field. It was no surprise that when (b)(6)(b)(7)(C) began his post deployment search that he found many opportunities awaiting him. He was a very well qualified 18D with tons of experience and countless references from people that he served with in the Army. He was offered a job at St. Jude Medical in Dallas TX and jumped at the opportunity. When he hit his ETS date in 2011 he packed up his belongings and moved to Dallas. It was not long after (b)(6)(b)(7)(C) began working at St. Jude Medical that he was recognized for his exceptional work ethic and extensive knowledge of the medical field. He was called to Kansas City to meet his boss's boss. After lunch (b)(6)(b)(7)(C) was told that he just unknowingly been interviewed and by the boss and that he was getting promoted. The one stipulation was that he would be required to move to Kansas City. There were several "perks" that came along with the promotion and the move, so (b)(6)(b)(7)(C) reluctantly agreed to leave Dallas. Not long after (b)(6)(b)(7)(C) arrived in Kansas City he found out the "perks" he was promised were never going to come to fruition. From the minute that (b)(6)(b)(7)(C) left the Army he always said the he wanted back in. When he approached his boss and asked why he was not getting the "perks" that he was promised, his boss simply told him that there was nothing he could do. This was the final draw for (b)(6)(b)(7)(C) and put into motion his re-enlistment. The incident surrounding Goldstein was well known around 3rd GRP, and there were several people that told me the story as they had heard it. Never once was there any mention of (b)(6)(b)(7)(C) when I heard the story retold. (b)(6)(b)(7)(C) contacted me from Dallas and asked if I had heard anything. I told him that there were "rumors" going around 3rd Group about an incident involving Goldstein. He gave me no information other than he promised me that he was NOT involved. I took (b)(6)(b)(7)(C) for his word and there was no mention of it for quite some time. Then I caught wind at 3rd Group that they were still going after Goldstein. The next time that I spoke with (b)(6)(b)(7)(C) on the phone I mentioned it to

INITIALS OF PERSON MAKING STATEMENT (b)(6)(b)(7)(C)

PAGE / OF 3 PAGES



Statement of: (b)(6)(b)(7)(C) Taken at: Fort Bragg, NC Dated: 26 September 2012  
Continued

him. He said that he himself had been contacted by CID and that he himself was not being investigated. During that particular conversation he mentioned that he had contacted a lawyer himself, just to be on the safe side. Since then I have had no mention of the incident with (b)(6)(b)(7)(C) and this is the first time that I became aware that CID was still investigating it. I can assure you that (b)(6)(b)(7)(C) seemingly numerous moves from state to state were all work related. I can also assure you that (b)(6)(b)(7)(C) was only in MN to visit his family, because that is where his parents live. I am currently still in contact with (b)(6)(b)(7)(C). He has since quit his job in Kansas City and moved back to Southern Pines and is currently living with me at (b)(6)(b)(7)(C).

Q. SA (b)(6)(b)(7)(C)

A. SFC (b)(6)(b)(7)(C)

Q. Did you type the above narrative in your own words?

A. Yes

Q. Can you describe SSG (b)(6)(b)(7)(C)?

A. Caucasian male, 6' 3", 220 lbs.

Q. Do you have his current phone number?

A. Not at this time

Q. Do you know the other members names that were on the team with (b)(6)(b)(7)(C) during his deployment?

A. (b)(6)(b)(7)(C), (b)(6)(b)(7)(C), (b)(6)(b)(7)(C), (b)(6)(b)(7)(C), (b)(6)(b)(7)(C), (b)(6)(b)(7)(C), (b)(6)(b)(7)(C) and (b)(6)(b)(7)(C) were medics (NFI).

Q. Did (b)(6)(b)(7)(C) tell you anything about what occurred while deployed which would relate to this investigation?

A. Nothing more than what I stated above.

Q. Did (b)(6)(b)(7)(C) tell you any information about GOLDSTEYN or the other guys in relation to this investigation?

A. Nothing more than what I stated above.

Q. Do you have anything else to add to this statement?

A. Negative////////////////////End of Statement////////////////////

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

Statement of: (b)(6)(b)(7)(C)  
Continued

Taken at: Fort Bragg, NC

Dated: 26 September 2012

### AFFIDAVIT

I, (b)(6)(b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

Witness #1:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2012,

Witness #2:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Subscribed and sworn before me, a person authorized by law to administer oaths, this 26<sup>th</sup> Day of Septemeber at Fort Bragg, NC 28307

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES



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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

*CID Regulation 195-1*

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PAGE 1 OF 1 PAGE(S)

DETAILS

About 1000, 3 Nov 12, SA (b)(6)(b)(7)(C) interviewed MSG (b)(6)(b)(7)(C) at the Stuttgart CID Office, Stuttgart, Germany, wherein SA (b)(6)(b)(7)(C) provided MSG (b)(6)(b)(7)(C) the signed Letter of Immunity (LOR) from Brigadier General (BG) (b)(6)(b)(7)(C) USASOC. MSG (b)(6)(b)(7)(C) refused to sign the LOR due to his civilian attorney residing in California. MSG (b)(6)(b)(7)(C) was provided an explanation numerous times by SA (b)(6)(b)(7)(C) and MAJ (b)(6)(b)(7)(C) on the order handed down from BG (b)(6)(b)(7)(C) however, MSG (b)(6)(b)(7)(C) contacted his CSM (NFI), who advised MAJ (b)(6)(b)(7)(C) the interview was to terminate immediately. MAJ (b)(6)(b)(7)(C) was advised the European Commander (EUCOM) advised the interview needed to cease until MSG (b)(6)(b)(7)(C) could have adequate time to have his legal representation present.

AGENT'S COMMENTS: MSG (b)(6)(b)(7)(C) continued to be passive and would not sign the LOR, because it had a alleged grammar issue. MAJ (b)(6)(b)(7)(C) advised MSG (b)(6)(b)(7)(C) the letter would be signed and he had no authority not to sign, which MSG (b)(6)(b)(7)(C) adamantly refused.

About 0730, 26 Nov 12, this office received the signed Letter of Immunity of MSG (b)(6)(b)(7)(C) via email from SA (b)(6)(b)(7)(C) Stuttgart CID Office, Stuttgart, Germany, wherein MSG (b)(6)(b)(7)(C) signed it with a handwritten comment at the end.

About 1100, 26 Nov 12, SA (b)(6)(b)(7)(C) was notified by MAJ (b)(6)(b)(7)(C) that he would contact MSG (b)(6)(b)(7)(C) civilian attorney, Mr. (b)(6)(b)(7)(C) One World Trade Center, Suite 2320, Long Beach, CA 90831, to request a formal interview for MSG (b)(6)(b)(7)(C)///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

26 NOV 12

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Exhibit(s) 79

Page(s) 000322 referred to:

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PAGE 1 OF 1 PAGE(S)

DETAILS

About 0800, 21 Dec 12, SA (b)(6)(b)(7)(C) conducted an interview of MSG (b)(6)(b)(7)(C) via a Secured Video Teleconference (SVTC) from the Headquarters Building, 3rd SFG, FBNC, to the office of MAJ (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) Special Operations Command Africa (SOCAF). SA (b)(6)(b)(7)(C) advised MSG (b)(6)(b)(7)(C) the testimonial immunity waiver he had signed previously was still in effect and he was required to speak to SA (b)(6)(b)(7)(C). Upon completion of brief, MSG (b)(6)(b)(7)(C) stated he needed to contact his lawyer, Mr. (b)(6)(b)(7)(C) and called him while still visible to SA (b)(6)(b)(7)(C) on the screen. SA (b)(6)(b)(7)(C) requested Mr. (b)(6)(b)(7)(C) contact MAJ (b)(6)(b)(7)(C) SJA, 3rd SFG, immediately due to his inability to be on a conference call for the interview as the it was being conducted via SVTC and required a clearance. MSG (b)(6)(b)(7)(C) refused to cooperate and would not answer the question, "Are you willing to cooperate with the letter of immunity which requires you to talk and speak now?" SA (b)(6)(b)(7)(C) terminated the interview with MSG (b)(6)(b)(7)(C) and advised him he was in violation of failure to obey a lawful order.

AGENT'S COMMENT: During the interview, MAJ (b)(6)(b)(7)(C) was present in the room with SA (b)(6)(b)(7)(C) and MAJ (b)(6)(b)(7)(C) was present in the room with MSG (b)(6)(b)(7)(C). MSG (b)(6)(b)(7)(C) was completely uncooperative and evaded all questions despite being advised by MAJ (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C) on multiple occasions of his mandated cooperation with this investigation. LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIG

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

DATE

21 DEC 12

EXHIBIT

80

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PAGE 1 OF 1 PAGE(S)

DETAILS

About 0910, 1 Feb 13, SA (b)(6)(b)(7)(C) conducted a briefing with LTC (b)(6)(b)(7)(C) MAJ (b)(6)(b)(7)(C) and incoming 3rd SFG SJA, CPT (b)(6)(b)(7)(C) where it was determined the interview of SSG (b)(6)(b)(7)(C) would be discussed and coordination would take place by 6 Feb 13. MAJ (b)(6)(b)(7)(C) explained his office was still in the works on securing a security clearance for MSG (b)(6)(b)(7)(C) attorney and should hopefully have an answer by the following week.

AGENT'S COMMENTS: LTC (b)(6)(b)(7)(C) provided SA (b)(6)(b)(7)(C) he signed Letter of Immunity for SSG (b)(6)(b)(7)(C)

About 0900, 12 Feb 13, SA (b)(6)(b)(7)(C) coordinated with COL (b)(6)(b)(7)(C) Group Commander, Special Warfare Medical Group (Airborne), FBNC, who conducted a query of the SF Matrix, which identified SSG (b)(6)(b)(7)(C) completed re-training with his unit and was currently assigned to the JFKSWCS pending assignment orders back to 3rd SFG.

About 0955, 12 Feb 13, SA (b)(6)(b)(7)(C) briefed COL (b)(6)(b)(7)(C) Commandant, and SGM (b)(6)(b)(7)(C) Directorate Sergeant Major, Special Forces Regiment, JFKSWCS, FBNC, on all aspects of this investigation, wherein they advised SSG (b)(6)(b)(7)(C) would be at the CID office at 1500, 12 Feb 13, to conduct immunized interview.

AGENT'S COMMENTS: SA (b)(6)(b)(7)(C) conducted secondary brief to LTC (b)(6)(b)(7)(C) SJA, JFKSWCS.

About 1455, 12 Feb 13, SA (b)(6)(b)(7)(C) interviewed SSG (b)(6)(b)(7)(C) based off the Letter of Immunity signed by BG (b)(6)(b)(7)(C) and acknowledged by SSG (b)(6)(b)(7)(C) wherein SSG (b)(6)(b)(7)(C) denied any knowledge of the incident described by MAJ GOLSTEYN (b)(6)(b)(7)(C). However, SSG (b)(6)(b)(7)(C) stated a mission was conducted within a short time frame after the death of the two Marines to capture the known IED maker possibly responsible, however, SSG (b)(6)(b)(7)(C) immediately stated he was not on the mission. SSG (b)(6)(b)(7)(C) immediately retracted the statement after SA (b)(6)(b)(7)(C) addressed it further. Interview of SSG (b)(6)(b)(7)(C) detailed his memory as strong for purpose of mission, specific operations, personnel, Shura meetings, and more. When SSG (b)(6)(b)(7)(C) was asked specific questions about the incident described by MAJ GOLSTEYN, mission briefs to apprehend the known suspect, and capture, he became vague and digressed to change the questioning.

AGENT'S COMMENTS: The interview of SSG (b)(6)(b)(7)(C) was recorded for audio and video which SSG (b)(6)(b)(7)(C) acknowledged and observed by MAJ (b)(6)(b)(7)(C) and CPT (b)(6)(b)(7)(C) Incoming 3rd SFG SJA.///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

12 FEB 13

EXHIBIT

81



Exhibit(s) 82

Page(s) 000325 referred to:

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PAGE 1 OF 1 PAGE(S)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIC

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

DATE

2 MAR 13

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Exhibit(s) 84

Page(s) 000327 thru 000328 referred to:

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PAGE 1 OF 1 PAGE(S)

DETAILS

About 0845, 11 Apr 13, SA (b)(6)(b)(7)(C) and Mr. (b)(6)(b)(7)(C) his

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

AGENT'S COMMENTS: (b)(6)(b)(7)(C), (b) (7)(D)

About 0825, 14 Apr 13, SA (b)(6)(b)(7)(C) coordinated with (b)(6)(b)(7)(C) who advised the USACIDC  
(b)(6)(b)(7)(C), (b) (7)(D)

About 1400, 29 Apr 13, SA (b)(6)(b)(7)(C) conducted a sit-down brief with LTC (b)(6)(b)(7)(C) USASFC SJA and  
CPT (b)(6)(b)(7)(C) SJA, 4th BN, 3rd SFG, FBNC, to conduct a thorough scrub of pending investigative  
priority. LTC (b)(6)(b)(7)(C) requested SA (b)(6)(b)(7)(C) provide recent Agent's Investigation Report, MSG  
(b)(6)(b)(7)(C) Letter of Immunity, and email correspondence between SA (b)(6)(b)(7)(C) and Mr. (b)(6)(b)(7)(C) MSG  
(b)(6)(b)(7)(C) attorney. Further, LTC (b)(6)(b)(7)(C) notified SA (b)(6)(b)(7)(C) an investigation was conducted by  
NCIS in Feb 10 of a Navy Seal (NFI) for a Law of War violation and CPT GOLSTEYN may have been  
involved. SA (b)(6)(b)(7)(C) advised LTC (b)(6)(b)(7)(C) he would contact NCIS and request assistance with  
information provided.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

DATE

29 APR 13

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PAGE 1 OF 1 PAGE(S)

DETAILS

About 0825, 3 May 13, SA (b)(6)(b)(7)(C) coordinated with CIA (b)(6)(b)(7)(C) who advised the USACIDC  
(b)(6)(b)(7)(C), (b) (7)(D)

About 0800, 7 May 13, CPT (b)(6)(b)(7)(C) SJA, 3rd SFG, FBNC, provided SA (b)(6)(b)(7)(C) documentation

About 1500, 20 May 13, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) NCIS, Camp Lejeune, NC,  
who conducted a query of their system which provided negative results for CPT GOLSTEYN being interviewed  
regarding an interview of a Navy Operator.

About 1115, 30 May 13, SA (b)(6)(b)(7)(C) conducted a DMDC query for Mr. (b)(6)(b)(7)(C) and Mr.  
(b)(6)(b)(7)(C) which yielded negative results.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

30 May 13

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86

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Exhibit(s) 87

Page(s) 000331 thru 000334 referred to:

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DETAILS

About 1045, 11 Jul 13, SA (b)(6)(b)(7)(C) coordinated with Mrs. (b)(6)(b)(7)(C) Inspector General's Office, Camp Lejeune, NC, who provided contact information for Mr. (b)(6)(b)(7)(C) XXX-XX (b)(6)(b)(7)(C) who was discharged on 7 Jan 13 for Alcohol Rehabilitation Failure. Mr. (b)(6)(b)(7)(C) was assigned to the 2D CEB, Home of Record identified as (b)(6)(b)(7)(C) and Mailing Address from DD 214 of (b)(6)(b)(7)(C) The last good phone number for Mr. (b)(6)(b)(7)(C) was (b)(6)(b)(7)(C)

AGENT'S COMMENTS: Mrs. (b)(6)(b)(7)(C) stated no records were found on Mr. (b)(6)(b)(7)(C) however, provided the Commander as LtCol (b)(6)(b)(7)(C) and the Executive Officer as MAJ (b)(6)(b)(7)(C) (b)(6)(b)(7)(C)

About 1520, 29 Jul 13, SA (b)(6)(b)(7)(C) coordinated with CPT (b)(6)(b)(7)(C) and LTC (b)(6)(b)(7)(C) SJA, 3rd SFG and USASFC respectively, wherein LTC (b)(6)(b)(7)(C) advised MSG (b)(6)(b)(7)(C) will be provided the opportunity to speak based on immunity order when he returns to Germany from TDY.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

29 Jul 13

EXHIBIT

88

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

*CID Regulation 195-1*

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channels without the approval of the Commander, USACIDC

PAGE 1 OF 1 PAGE(S)

DETAILS

About 1000, 21 Aug 13, SA (b)(6)(b)(7)(C) coordinated with SA (b)(6)(b)(7)(C) US Postal Inspector, Raleigh, NC, who advised coordination with the Jacksonville Post Office identified Mr. (b)(6)(b)(7)(C) received mail at (b)(6)(b)(7)(C) until Jul 13. Mr. (b)(6)(b)(7)(C) mail is identified as "Return to Sender" with no forwarding address issued. SA (b)(6)(b)(7)(C) provided contact information for Mr. (b)(6)(b)(7)(C) father, Mr. (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) and Mr. (b)(6)(b)(7)(C) older brother, Mr. (b)(6)(b)(7)(C) (b)(6)(b)(7)(C). Due to Mr. (b)(6)(b)(7)(C) whereabouts being unknown, both individuals may be possible new locations for Mr. (b)(6)(b)(7)(C) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SI

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

DATE

21 Aug 13

EXHIBIT

89

CI

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000336



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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0906-11-CID023-43647

*CID Regulation 195-1*

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PAGE 1 OF 3 PAGE(S)

DETAILS

About 1000, 2 Oct 13, SA (b)(6)(b)(7)(C) coordinated with SAC (b)(6)(b)(7)(C) Stuttgart CID Office, who accepted request by this office for an Agent to be present at 1300 EST for the teleconference interview of MSG (b)(6)(b)(7)(C). SA (b)(6)(b)(7)(C) advised all pertinent information would be forwarded shortly.

About 0900, 3 Oct 13, this office was notified by SA (b)(6)(b)(7)(C) Special Agent-in-Charge, Stuttgart CID Office, Stuttgart, Germany, coordination was made telephonically with MSG (b)(6)(b)(7)(C) to identify location interview would be conducted. MSG (b)(6)(b)(7)(C) refused to relate the interview location and stated CID could not be present and would need to be worked with his attorney.

AGENT'S COMMENTS: Due to time constraints, Mr. (b)(6)(b)(7)(C) lack of cooperation through correspondence, and time in Germany, SA (b)(6)(b)(7)(C) advised the Stuttgart CID Office not to pursue any further and it would be documented appropriately.

About 1300, 3 Oct 13, SA (b)(6)(b)(7)(C) conducted a teleconference interview from the Fort Bragg CID Office which consisted of MSG (b)(6)(b)(7)(C) at Stuttgart, Germany; Mr. (b)(6)(b)(7)(C) Defense Attorney for MSG (b)(6)(b)(7)(C) and CPT (b)(6)(b)(7)(C) USASFC SJA.

SA (b)(6)(b)(7)(C) began the interview through a roll call, wherein SA (b)(6)(b)(7)(C) identified CPT (b)(6)(b)(7)(C) and himself were present from Fort Bragg, MSG (b)(6)(b)(7)(C) in Stuttgart, and Mr. (b)(6)(b)(7)(C) in California. Mr. (b)(6)(b)(7)(C) immediately corrected SA (b)(6)(b)(7)(C) on the pronunciation of his name which SA (b)(6)(b)(7)(C) apologized. SA (b)(6)(b)(7)(C) stated the purpose of the interview was in regards to a war crimes investigation involving an incident which occurred in Afghanistan in Feb 10 which MSG (b)(6)(b)(7)(C) may have knowledge. SA (b)(6)(b)(7)(C) advised the Letter of Immunity signed by MSG (b)(6)(b)(7)(C) in Nov 12, which was signed by BG (b)(6)(b)(7)(C) was still in effect and proceeded to read aloud the entire letter. Upon completion of the reading, Mr. (b)(6)(b)(7)(C) told MSG (b)(6)(b)(7)(C) "don't answer any of their questions because they can still use your words against you during sentencing." MSG (b)(6)(b)(7)(C) acknowledged with a simple "Okay." SA (b)(6)(b)(7)(C) stated testimonial information MSG (b)(6)(b)(7)(C) provided during the interview could not be used against him, unless he provided a false statement or he conducted an overt action during the incident, which would fall under Transactional Immunity. Mr. (b)(6)(b)(7)(C) stated the letter was a ploy and a trick and continued to advise MSG (b)(6)(b)(7)(C) to not talk and stated SA (b)(6)(b)(7)(C) threatened to title MSG (b)(6)(b)(7)(C) with Murder and Failure to Obey a Lawful Order during the last attempt at an interview, which MSG (b)(6)(b)(7)(C) became vocal and said, "Ya, that's true." SA (b)(6)(b)(7)(C) notified Mr. (b)(6)(b)(7)(C) the information he received from MSG (b)(6)(b)(7)(C) was related incorrectly and SA (b)(6)(b)(7)(C) advised MSG (b)(6)(b)(7)(C) his continued failure to obey the Letter of Immunity could result in him being titled for Failure to Obey a Lawful Order. In addition, SA (b)(6)(b)(7)(C) advised MSG (b)(6)(b)(7)(C) of CPT GOLSTEYN's statement of members of his team assisting him during the incident and without his assistance and cooperation, other interviews could determine if he was titled with War Crimes and/or Murder. SA (b)(6)(b)(7)(C) explained the Uniformed Code of Military

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

S

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

DATE

28 Oct 13

EXHIBIT

90



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AGENT'S INVESTIGATION REPORT

ROI NUMBER

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PAGE 2 OF 3 PAGE(S)

DETAILS

Justice (UCMJ) and Manual for Courts-Martial to Mr. (b)(6)(b)(7)(C) and advised CPT (b)(6)(b)(7)(C) would further explain the boundaries of the Letter of Immunity. Once CPT (b)(6)(b)(7)(C) began to explain the judicial process, Mr. (b)(6)(b)(7)(C) began to raise his voice and screamed at SA (b)(6)(b)(7)(C) and CPT (b)(6)(b)(7)(C) wherein he stated "This is crap, you guys are unprofessional, have a crappy phone line, and (b)(6)(b)(7)(C) don't do anything to help them." At this time, SA (b)(6)(b)(7)(C) stated, "We are calm and professional and you are screaming at us which is not necessary." Mr. (b)(6)(b)(7)(C) terminated the phone call and MSG (b)(6)(b)(7)(C) phone line clicked off when SA (b)(6)(b)(7)(C) asked if he was still present on the line.

AGENT'S COMMENTS: Mr. (b)(6)(b)(7)(C) and MSG (b)(6)(b)(7)(C) were read the Letter of Immunity twice slowly and all information was explained explicitly by CPT (b)(6)(b)(7)(C) and SA (b)(6)(b)(7)(C). It appeared the tirade conducted by Mr. (b)(6)(b)(7)(C) was rehearsed, as well as their questions, as it did not follow the information being related by SA (b)(6)(b)(7)(C) as the moderator.

About 0855, 21 Oct 13, SA (b)(6)(b)(7)(C) coordinated with CPT (b)(6)(b)(7)(C) who advised MSG (b)(6)(b)(7)(C) was counseled on pending punishment if he continues his failure to obey a lawful order. MSG (b)(6)(b)(7)(C) has until COB 25 Oct 13, to file any submissions for issues he believes are identified.

About 1530, 22 Oct 13, SA (b)(6)(b)(7)(C) coordinated with CPT (b)(6)(b)(7)(C) SJA, USASFC, FBNC, who concurred probable cause existed to believe CPT GOLSTEYN committed the offenses of Murder, Conspiracy, and War Crimes, when he conspired with multiple Special Forces team members to commit premeditated murder and desecration of the body afterwards.

A thorough review was conducted of CPT GOLSTEYN's cellular phone records obtained through Department of Defense Inspector General Subpoena for Verizon Wireless, Subpoena Compliance Team, which disclosed correspondence between CPT GOLSTEYN with MAJ (b)(6)(b)(7)(C) GySgt (b)(6)(b)(7)(C) and SFC (b)(6)(b)(7)(C). Nothing of evidentiary value was identified.

About 1345, 25 Oct 13, SA (b)(6)(b)(7)(C) coordinated with CPT (b)(6)(b)(7)(C) USASFC SJA, who related no correspondence was received from the SOCAF SJA and further contact would be conducted on 28 Oct 13. CPT (b)(6)(b)(7)(C) stated MSG (b)(6)(b)(7)(C) may receive administrative action due to his failure to obey the lawful order implemented by BG (b)(6)(b)(7)(C) which would result in tab revocation, GOMAR, and loss of security clearance.

AGENT'S COMMENTS: CPT (b)(6)(b)(7)(C) stated she would confer with LTC (b)(6)(b)(7)(C) Chief, USASFC SJA, to determine if probable cause exists to believe MSG (b)(6)(b)(7)(C) committed the offenses of Failure to Obey a Lawful Order and Obstruction of Justice with his continued overt actions to be uncooperative within this investigation.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIG

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

DATE

28 Oct 13

EXHIBIT

90



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AGENT'S INVESTIGATION REPORT

ROI NUMBER

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PAGE 3 OF 3 PAGE(S)

DETAILS

About 1010, 28 Oct 13, SA (b)(6)(b)(7)(C) coordinated with CPT (b)(6)(b)(7)(C) who advised MSG (b)(6)(b)(7)(C) emailed her over the weekend. CPT (b)(6)(b)(7)(C) stated MSG (b)(6)(b)(7)(C) related his attempts to reach his attorney, Mr. (b)(6)(b)(7)(C) have been unsuccessful thus far and he may be working cases outside of California currently. MSG (b)(6)(b)(7)(C) explained he would continue his attempts to reach Mr. (b)(6)(b)(7)(C) however, provided no response to the mandated timeline within his counseling.

AGENT'S COMMENTS: CPT (b)(6)(b)(7)(C) stated she would brief LTC (b)(6)(b)(7)(C) USASFC SJA, to determine if administrative action would be taken on MSG (b)(6)(b)(7)(C) since he has been uncooperative since SA (b)(6)(b)(7)(C) attempted to interview him in Nov 12.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

28 Oct 13

EXHIBIT

90

CID FORM 24

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

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*CID Regulation 195-1*

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PAGE 1 OF 1 PAGE(S)

DETAILS

About 1215, 4 Nov 13, SA (b)(6)(b)(7)(C) coordinated with CPT (b)(6)(b)(7)(C) who advised MSG (b)(6)(b)(7)(C) would receive administrative actions amounting to possible Special Forces tab revocation, General Officer Memorandum of Reprimand, and Military Occupational Specialty reclassification.

About 0900, 5 Nov 13, SA (b)(6)(b)(7)(C) coordinated with CPT (b)(6)(b)(7)(C) who (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) MSG (b)(6)(b)(7)(C) (b)(6)(b)(7)(C) (b)(6)(b)(7)(C)

About 1730, 18 Nov 13, this office received a written legal opinion memorandum from CPT (b)(6)(b)(7)(C) which was dated 12 Nov 13.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

FORT BRAGG CID OFFICE  
FORT BRAGG, NC 28310

SIGNATURE

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

DATE

18 Nov 13

EXHIBIT

91

CID F

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000340



## Exhibit 92

Page(s) 000341 withheld.

5 U.S.C. § 552(b)(6), (b)(7)(C)  
Third Party Information



Law Enforcement Resource Team Subpoena Compliance  
Office of Integrity & Compliance  
180 Washington Valley Road  
Bedminster NJ 07921  
PHONE 800-451-5242 OPTION 2  
FAX 888-667-0028

### COVER LETTER

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Date: **07/10/2012** \_\_\_\_\_

Fax number: \_\_\_\_\_

No. of pages (incl. cover): \_\_\_\_\_

From: **(b)(6)(b)(7)(C)** **(b)(6)(b)(7)(C)** \_\_\_\_\_

Case #: **1188002** \_\_\_\_\_

Subject: **Enclosed Records** \_\_\_\_\_

To: **(b)(6)(b)(7)(C)** \_\_\_\_\_

**Notes: Subscriber information, call detail and text detail reports with explanation sheets. Thank you.**

---

Please note that the time reflected on any call detail report or bill copy is reflective of the switch that processed the call, which may not be the same as the clock time at the cell site where the call was initiated.

The information contained in this message and any attachment may be proprietary, confidential and privileged or subject to the work product doctrine and thus protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this communication in error, please notify me immediately by replying to this message and deleting it and all copies and backups thereof. Thank you.





REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND  
FORT BRAGG CID OFFICE  
2175 REILLY ROAD, STOP A  
FORT BRAGG, NORTH CAROLINA 28310-5001

Custodian of Records

CellCo Partnership d/b/a Verizon Wireless  
ATTN: Verizon Wireless Legal Compliance  
180 Washington Valley Road  
Bedminster, NJ 07921

Dear Sir or Madam:

Pursuant to Section 6(a)(4) of the Inspector General Act of 1978, as amended, 5 U.S.C. App. III, the enclosed subpoena duces tecum has been issued. The materials identified should be produced by the date and time indicated on the subpoena at:

U. S. Army Criminal Investigation Command  
Fort Bragg CID Office  
ATTN: Special Agent (b)(6)(b)(7)(C)  
Building 8-1221 Randolph Street, Stop A  
Fort Bragg, NC 28310

Should you elect to personally deliver the subpoenaed records, you will be required to attest to the completeness, accuracy and authenticity of the documents produced. Or, upon request, Special Agent (b)(6)(b)(7)(C) or any Special Agent of the United States Army Criminal Investigation Command (USACIDC) will personally assume custody of the required materials at your office. However, by mutual agreement, the material may be sent by U.S. registered mail to USACIDC at the above address. If you elect to provide records via registered mail, you should include the enclosed personal affidavit/certificate of compliance as to the completeness, accuracy and authenticity of the documents mailed. Should the documents fail to arrive by the time and date set forth on the subpoena, this will be considered a failure on your part to comply with this subpoena.

Original documents are required by this subpoena. However, for the purpose of this subpoena, certified true copies of the original documents called for by the subpoena will satisfy this provision. The personal affidavit/certificate of compliance must be made by the actual custodian of records who has the complete legal standing for the company/corporation and can testify to their authenticity, accuracy and completeness of the documents produced. If certified true copies are produced, we reserve the right to review the original documents with advanced notice, and during normal business hours. Otherwise, original documents must be submitted.

Materials required by the subpoena should be accompanied by an index identifying each document or other materials and the item or items of the subpoena to which it relates. If for any reason any of the required materials are not furnished, prepare an itemized list of the location of materials and the reason for non-production.

This investigation is private and we request such privacy be maintained. Enclosed is a notice pursuant to the Privacy Act of 1974.

You should bear in mind you have the right to consult with and have an attorney represent you in this matter. If you have any questions concerning the subpoena or the materials required to be produced, you may call Special Agent (b)(6)(b)(7)(C) at (910) 643-4639

Sincerely,

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

CW3 (b)(6)(b)(7)(C)  
Special Agent-in-Charge  
Fort Bragg CID Office

Enclosures:

Subpoena Duces Tecum  
Appendix A  
Privacy Act Notice  
Certificate of Compliance



**United States of America  
Department of Defense  
Office of the Inspector General**

**SUBPOENA DUCES TECUM**

TO Custodian of Records, CellCo Partnership d/b/a Verizon Wireless, ATTN: Verizon Wireless Legal Compliance, 180 Washington Valley Road, Bedminster, New Jersey 07921

YOU ARE HEREBY COMMANDED TO APPEAR BEFORE Special Agent (b)(6)(b)(7)(C) or any Special Agent of the United States Army Criminal Investigation Command (USACIDC) acting on behalf of the Inspector General, pursuant to the Inspector General Act of 1978 (5 U.S.C. App. 3), at USACIDC, Fort Bragg CID Office, Building 8-1221 Randolph Street, Stop A, Fort Bragg, North Carolina 28310 on the 20th day of August, 2012 at 10 o'clock a.m. of that day.

You are hereby required to bring with you and produce at said time and place the following information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence pertaining to Verizon Wireless phone number: (b)(6)(b)(7)(C) believed to be utilized by and/or associated with Mathew L. Golsteyn, an active duty member of the United States Army, who is suspected of violating one or more punitive Articles of the Uniform Code of Military Justice, for the period September 1, 2011 through the date of this subpoena, as specified in Appendix A, which are necessary in the performance of the responsibility of the Inspector General under the Inspector General Act.

IN TESTIMONY WHEREOF, the signature of the duly authorized representative of the Inspector General of the Department of Defense is affixed at Arlington, Virginia.

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

Chief of Staff

UNIQUE IDENTIFICATION NUMBER: 2012278-11753

## **APPENDIX A**

### **A. INSTRUCTIONS**

This subpoena calls for the production of records setting forth the basic subscriber information identified below, authorized by the Electronic Communications Privacy Act (18 U.S.C. § 2701, et seq.), pertaining to Verizon Wireless phone number: 910-580-3504, believed to be utilized by and/or associated with Mathew L. Golsteyn, an active duty member of the United States Army, who is suspected of violating one or more punitive Articles of the Uniform Code of Military Justice, for the period September 1, 2011 through the date of this subpoena.

### **B. REQUIRED RECORDS**

1. All names associated with the account(s);
2. All addresses associated with the account(s);
3. Local and long distance telephone connection records (to include telephone call detail and alpha numeric text message detail records) and/or records of session times and durations, including connection dates and times, disconnect dates and times, and methods of connection;
4. Length of service, including start date, end date (if applicable), and types of services used;
5. Telephone or instrument number(s) and/or other subscriber number(s) or identities, including any temporarily assigned network address; and,
6. Means and source of payment for service (including any credit card or bank account number).



## NOTICE PURSUANT TO PRIVACY ACT OF 1974

The Privacy Act of 1974 directs that persons, such as those required by the Inspector General of the Department of Defense (DoD) to supply information in response to a subpoena, be informed of the following:

1. Authority for Solicitation of the Information:

The authority for requiring production of the information is set forth in the Inspector General Act of 1978, PL 95-452 and PL 97-252. Disclosure of information is mandatory.

2. Principal Uses of the Information:

The Inspector General's principal purpose in soliciting the information is to promote economy, efficiency, and effectiveness in the administration of the programs and operations of DoD and to prevent and detect fraud and abuse in such programs and operations.

3. Effect of Noncompliance:

Failure to comply with a subpoena may result in the Inspector General's requesting a court order for compliance. If such an order is obtained and you thereafter fail to supply the information, you may be subject to civil and/or criminal sanctions for contempt of court.

4. Routine Uses of the Information:

Information you give may be used and disseminated in the routine operation of DoD, including criminal, civil, and administrative proceedings. Routine uses include, but are not limited to, the following categories:

a. In any case in which there is an indication of a violation or a potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law;

b. In the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local or foreign agency, or to an individual organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

c. A record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practices;

d. A record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

e. A record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter;

f. A record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement;

g. A record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency;

h. A record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of license, grant, or other benefit by the requesting agency to the extent that the information relates to the requesting agency's decision on the matter;

i. A record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions of crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than information such as a modus operandi.

##### 5. Freedom of Information Act:

The Freedom of Information Act (FOIA), Title 5, U.S.C., Section 552, and DoD rules pursuant thereto, generally provide for access by members of the public to governmental records, unless the requested records fall within specified exemptions. If you believe that one or more of the documents required under this subpoena should be considered exempt in whole or in part from public release under the FOIA, Title 5, U.S.C., Section 552, you must mark each document which you believe exempt. In a letter accompanying the documents, you should cite all exemptions contained in the FOIA that you believe apply and the reasons for each. It is the policy of the Office of the Inspector General to seek to notify you in the event that it receives a request under the FOIA for records for which you have claimed exemption or in the event that legal proceedings are initiated against the Office of the Inspector General to obtain such records.



## CERTIFICATE OF COMPLIANCE

I, (b)(6)(b)(7)(C), Subpoena Compliance Coordinator, of  
(Name) (Title)  
Cellco Partnership Doing Business As Verizon Wireless,  
(Company/Institution/Agency)

certify the records I provided (either) to Special Agent (b)(6)(b)(7)(C),  
or by certified mail accountability number n/a, return receipt  
requested, are accurate, complete, and in full compliance with the Department of Defense  
Inspector General Duces Tecum number 2012278 - 11753.  
(Unique Identification Number)

The following subpoenaed records are not provided. (If documents are withheld based on  
privilege, identify each document, specify its author and addressee, date, subject matter, all  
persons or entities to whom copies were furnished, and the basis of your claim of privilege.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Use attachment if necessary)

In accordance with Title 28, United States Code, Section 1746, I certify under penalty of perjury  
the foregoing is true and correct.

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

(Signature of Respondent)

07/10/2012

(Date)



**Explanation Form For Historical Records**

<u>Network Element</u>	<u>Mobile Directory Number</u>	<u>Dialed Digit</u>	<u>Call Direction</u>	<u>Seizure Date Time</u>	<u>Seizure Duration</u>	<u>Calling Party Number</u>
This is the switching equipment that transacted the call. A switch is named by the basic geographic area it covers. Switches route calls for hundreds of cell sites.	This is your target #	This is the number dialed to initiate the call. For inbound calls this number will be the same as the Mobile Directory Number column and for outbound calls this is the number your target dialed.	This is the type of call, e.g. inbound, outbound, or voicemail.	This is the exact date and time of the start of each call	This is the duration of the call in seconds	This is the calling party that initiated the call. If the call is outbound this column will be the same as the Mobile Directory Number column. If the call is inbound, this is the number that dialed your target.
			Inbound calls display the following numbers: 0 & 6. Calls to voicemail display the letter "F."			
			Outbound calls display the following numbers: 1 & 3			
			Mobile to Mobile calls display the number 2. Any other letter or number is a routing or unknown call type and does not detail actual transactional data for a completed call. Any other letter or number is a routing or unknown call type and does not detail actual transactional data for a completed call. Subscriber information is not available for routing numbers.			

**When the #s in the Mobile Directory Number column, Dialed Digit column and the Calling Party Number column are all different, then you are looking at a routing #. The Routing # will appear in the Dialed Digit column. (All three numbers are different)**

**If you see your target # in the Mobile Directory Number column, the Dialed Digit column and the Calling Party Number column, then you are looking at your target checking his/her voicemail. (All three numbers are the same)**

- \*86 is voicemail retrieval
- #225 is checking account balance
- #646 is checking minutes
- #777 is data/web services
- #738 is prepaid voicemail retrieval
- #729 is adding minutes for prepaid
- \*67 is used to block the mobile #
- \*82 is used to unblock the mobile #





**Explanation Form For Text Messaging (Digits) Records**

<b><u>NET ELEM NM</u></b>	<b><u>MDN</u></b>	<b><u>MSG SND DT/TM</u></b>	<b><u>Msg Delivered Date/Time</u></b>	<b><u>Orig Addr</u></b>	<b><u>DEST ADDR</u></b>	<b><u>Msg DIR IND</u></b>
This is the switch that processed the text message.	This is your Target #.	This is the Date & Time that the text message was sent.	This is the Date & Time when the text message was delivered.	This is the number that is sending the message	This is the number receiving the message	This is the message direction of the text message.
						1=incoming, 2=outgoing, 3=incoming message from another VZW #, 4=outgoing message from another VZW #.



The enclosed CD contains the response to the legal process you served on Verizon Wireless dated 07/03/2012.

The Verizon Wireless case number is 1188002.

Your Subpoena/Court Order/Search Warrant/Investigation/Case reference number (if applicable) is 2012278-11753.

The information on the CD is encrypted and password protected. The password is VzW2012!+(the last five digits or letters of the search criteria you submitted: mobile number, IP address, social security number, credit card customer name, account number or serial number listed in the legal process). If your legal process contains multiple search criteria, it will be the last five of the first search criteria listed in the request. Please refer to the examples below:

- mobile number 123 456 7890 would have a password of VzW2012!67890
- IP address 12.345.678.90 would have a password of VzW2012!67890
- social security number 123.45.6789 would have a password of VzW2012!56789
- credit card number 1234 5678 9123 4567 would have a password of VzW2012!34567
- customer name John Johnson would have a password of VzW2012!hnsn
- account number 871929594-00001 if submitted this way would have a password of VzW2012!00001
- account number 871929594 if submitted this way would have a password of VzW2012!29594
- serial number/ESN/MEID/SIM card would have a password of VzW2012!+last 5

If you are unsure of the password or need assistance please call 800-451-5242, select the appropriate prompt and refer to the Verizon Wireless case number provided above.

Thank you,

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

Subpoena Compliance Coordinator

Law Enforcement Resource Team (LERT) Subpoena Compliance Department

180 Washington Valley Road

Bedminster, NJ 07921



Exhibit(s) 93

Page(s) 000342 referred to:

Freedom of Information Act Office  
USASOC (AOIM-FOIA)  
2929 Desert Storm Drive  
Fort Bragg, N.C. 28310-9110

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0906-11-CID023-43647

PAGE 1 OF 1 PAGE

## DETAILS

### LAW ENFORCEMENT RECORDS CHECK:

About 0751, 8 Nov 11, a USACIDC Crime Records Check (CRC) and a check of the AC12 data base this office, disclosed no derogatory information of CPT GOLSTEYN.

About 1410, 8 Nov 11, SA (b)(6)(b)(7)(C) conducted a check of the Centralized Operations Police Suite (COPS), which disclosed nothing of evidentiary value.

About 1510, 11 Nov 11, SA (b)(6)(b)(7)(C) conducted a check of the National Crime Information Center (NCIC) which disclosed no derogatory information of CPT GOLSTEYN. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

FORT BRAGG CID OFFICE,  
FORT BRAGG, NC 28310

DATE

11 NOV 11

EXHIBIT

94

OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

1 FEB 77

000343



# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0906-11-CID023-43647

PAGE 1 OF 1 PAGE

## DETAILS

### LAW ENFORCEMENT RECORDS CHECK:

About 0752, 8 Nov 11, a USACIDC Crime Records Check (CRC) and a check of the AC12 data base this office, disclosed no derogatory information of MSG (b)(6)(b)(7)(C)

About 1411, 8 Nov 11, SA (b)(6)(b)(7)(C) conducted a check of the Centralized Operations Police Suite (COPS) for MSG (b)(6)(b)(7)(C) which disclosed nothing of evidentiary value.

About 1520, 11 Nov 11, SA (b)(6)(b)(7)(C) conducted a check of the National Crime Information Center (NCIC) which disclosed no derogatory information of MSG (b)(6)(b)(7)(C) //LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

SIGNATURE

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

ORGANIZATION

FORT BRAGG CID OFFICE,  
FORT BRAGG, NC 28310

DATE

11 NOV 11

EXHIBIT

95

CID OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

1 FEB 77

000344

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0906-11-CID023-43647

PAGE 1 OF 1 PAGE

## DETAILS

### LAW ENFORCEMENT RECORDS CHECK:

About 0753, 8 Nov 11, a USACIDC Crime Records Check (CRC) and a check of the AC12 data base this office, disclosed no derogatory information of SSG (b)(6)(b)(7)(C)

About 1412, 8 Nov 11, SA (b)(6)(b)(7)(C) conducted a check of the Centralized Operations Police Suite (COPS) for SSG (b)(6)(b)(7)(C) which disclosed nothing of evidentiary value.

About 1522, 11 Nov 11, SA (b)(6)(b)(7)(C) conducted a check of the National Crime Information Center (NCIC) which disclosed no derogatory information of SSG (b)(6)(b)(7)(C) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

FORT BRAGG CID OFFICE,  
FORT BRAGG, NC 28310

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

SIGN (b)(6)(b)(7)(C)

DATE

11 NOV 11

EXHIBIT

96

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1 FEB 77

000345



DISCLOSURE ACCOUNTING RECORD			RECORD SYSTEM NAME AND TYPE		
INDIVIDUAL'S NAME	REQUESTOR'S NAME AND ADDRESS	NATURE AND PURPOSE OF DISCLOSURE	INDIVIDUAL'S CONSENT (X)		DATE OF DISCLOSURE
			YES	NO NOT REQUIRED	
Mrs. (b)(6)(b)(7)(C)		Criminal Investigation		X	3 Oct 11
Mrs. (b)(6)(b)(7)(C)		Criminal Investigation		X	21 Nov 11
SA (b)(6)(b)(7)(C)	Naval Criminal Investigative Service San Diego, CA	Criminal Investigation		X	
SA (b)(6)(b)(7)(C)	Naval Criminal Investigative Service New Orleans, LA	Criminal Investigation		X	5 Dec 11
CW2 (b)(6)(b)(7)(C)	S-2 OIC, 3 <sup>rd</sup> Brigade Combat Team Fort Bragg, NC 28310	Criminal Investigation		X	7 Dec 11
LT (b)(6)(b)(7)(C)	Cumberland County Sheriff's Office 467 Dick Street, Fayetteville, NC	Criminal Investigation		X	9 Dec 11
SA (b)(6)(b)(7)(C)		Criminal Investigation		X	12 Dec 11
SA (b)(6)(b)(7)(C)	Naval Criminal Investigative Service Los Angeles Field Office	Criminal Investigation		X	21 Dec 11