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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
West Point CID Office
3d Military Police Group, Building 616, West Point, NY 10966-1584

02 Oct 2009

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0076-2009-CID081-61558 - 5H1A

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 01 AUG 2004, 0001 - 01 NOV 2005, 2359; UNKNOWN LOCATION, RAMADI,
IRAQ

DATE/TIME REPORTED: 14 JUL 2009, 1000

INVESTIGATED BY:

SA (b)(6), (b)(7)(C), (b)(7)(F)
SA [REDACTED]

SUBJECT:

1. UNKNOWN, ; [MURDER (UNFOUNDED)] (NFI)

VICTIM:

1. UNKNOWN-2132447-0076-2009-CID081-I ; [MURDER (UNFOUNDED)] (NFI)
2. UNKNOWN-2132450-0076-2009-CID081-I ; [MURDER (UNFOUNDED)] (NFI)

INVESTIGATIVE SUMMARY:

This investigation was initiated upon receipt of Memorandum of Transmittal, 0459-09-CID034, from the Fort Hood CID Office, which detailed Mr. (b)(6), (b)(7)(C) [REDACTED] (b)(6), (b)(7)(C) [REDACTED] reported his nephew, SGT (b)(6), (b)(7)(C) [REDACTED] (b)(6), (b)(7)(C) [REDACTED] murdered two Iraqi civilians while deployed with the 1/9th Infantry Battalion,

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Fort Carson, CO 80902.

Investigation determined there was no credible information to support the accusations made by Mr. [b(6), b(7)(C)]. Coordination with deployed CID assets, interviews of SGT [b(6), b(7)(C)] family, and interviews of SGT [b(6), b(7)(C)] former unit members contradicted Mr. [b(6), b(7)(C)] allegations, and revealed an ongoing legal dispute between various members of the [b(6), b(7)(C)] family.

STATUTES:

Article 118, UCMJ: Murder (UNFOUNDED)

EXHIBITS:

Attached:

1. Agent's Investigation Report (AIR) of SA [b(6), b(7)(C)] 30 Jun 09.
2. Sworn Statement of Mr. [b(6), b(7)(C)] 30 Jun 09, wherein he stated SGT [b(6), b(7)(C)] claimed he murdered unarmed Iraqi civilians.
3. E-mail correspondence of Mr. [b(6), b(7)(C)] Apr 07.
4. Reminder Publications, Inc, News article, not dated, detailing SGT [b(6), b(7)(C)] was chosen to receive a free home from Homes for Our Troops.
5. Department of Veteran's Affairs Compensation Application of SGT [b(6), b(7)(C)] 24 Mar 08.
6. Massachusetts Superior Court Civil Complaint #09-483, 14 May 09, detailing a civil lawsuit filed by Mr. [b(6), b(7)(C)] against Mr. [b(6), b(7)(C)].
7. AIR of SA [b(6), b(7)(C)] 28 Jul 09.
8. Homes for Our Troops web page, 14 Jul 09, detailing the death of SGT [b(6), b(7)(C)].
9. Army Times web page, 14 Jul 09, detailing the death of PFC MING SUN.

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10. Sworn Statement of Mr. [b(6), b(7)(C)] 28 Jul 09.
11. Sworn Statement of Mrs. [b(6), b(7)(C)] 28 Jul 09.
12. AIR of SA [b(6), b(7)(C)] 1 Aug 09.
13. Sworn Statement of SFC [b(6), b(7)(C)] 28 Jul 09.
14. Alpha Roster, A Company, 1/503rd Infantry Battalion, not dated.
15. AIR of SA [b(6), b(7)(C)] 10 Sep 09.

Not Attached:

None


The originals of Exhibits 1-2, 7, and 10-13, and 15 were attached to the USACRC copy of this report. The original of Exhibit 3 was retained in the files of Google, 75 Ninth Avenue 2nd and 4th Floors New York, NY. The original of Exhibit 4 was retained in the files of Reminder Publications, Inc, 280 North Main St, East Longmeadow, MA. The original of Exhibit 5 was retained in the files of the US department of Veterans Affairs Regional Office, JFK Federal Building, Boston, MA. The original of Exhibit 6 was retained in the files of the Massachusetts Superior Court, Three Pemberton Square, Boston, MA. The original of Exhibit 8 was retained in the files of Homes for Our Troops, 6 Main Street, Taunton, MA. The original of Exhibit 9 was retained in the files of the Army Times Publishing Company, 6883 Commercial Dr, Springfield, VA. The original of Exhibit 14 was retained in the files of A Company, 1/503rd Infantry Battalion, Camp Casey, Korea.

STATUS: This is a Final Report. Commander's Report of Disciplinary or Administrative Action Taken (DA Form 4833) is not required. CID reports of investigation may be subject to a Quality Assurance Review by CID higher headquarters.

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Report Prepared By:

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

 Special Agent

Report Approved By:

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

Special Agent in Charge

DISTRIBUTION:

- 1 - Dir, USACRC, Attn: CICR-CR, 6010 6th Street, Fort Belvoir, VA 22060-5506
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- 1 - OSJA, Attn: CPT (C) WPNY (e-mail)
- 1 - File

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>		ROI NUMBER 459-09-CID034-	
		PAGE 1 OF 1 PAGES	
DETAILS BASIS FOR INVESTIGATION: About 0900, 26 Jun 09, SA b(6), b(7)(C) was contacted by Mr. b(6), b(7)(C) who related his nephew, SGT b(6), b(7)(C) stated he killed unarmed Iraqi civilians while assigned to 1/9 Inf, 2nd BCT, 21D, Fort Carson, CO.			
<p>About 1055, 29 Jun 09, SAC b(6), b(7)(C) his office, coordinated with SAC b(6), b(7)(C) West Point CID Office, West Point, NY, who accepted this MOT, as the majority of the leads to be investigated are in the West Point CID Office AOR. SAC b(6), b(7)(C) related this office would conduct interview of Mr. b(6), b(7)(C) prior to sending MOT.</p>			
<p>About 1302, 30 Jun 09, SA b(6), b(7)(C) interviewed Mr. b(6), b(7)(C) who provided a sworn statement wherein he related that SGT b(6), b(7)(C) made statements to him sometime in April or May of 2005 in which he admitted to killing an unarmed civilian Iraqi male who he caught raping a female and surrendered into the custody of U.S. Forces. SGT b(6), b(7)(C) further admitted to supervising the hanging death of an Iraqi sniper captured by U.S. forces and turned over to the Iraqi military. Mr. b(6), b(7)(C) stated that SGT b(6), b(7)(C) was "bragging" about these incidents while at his home in Massachusetts.</p>			
<p>AGENT'S COMMENT: Shortly after the interview, Mr. b(6), b(7)(C) retrieved a folder of documents which he turned over to SA b(6), b(7)(C) and explained their contents. The folder contained an E-Mail from Mr. b(6), b(7)(C) father of SGT b(6), b(7)(C) which contains information about the sniper incident Mr. b(6), b(7)(C) referenced. Also included is a news story which relates that SGT b(6), b(7)(C) was provided a free house by Homes for Our Troops. Mr. b(6), b(7)(C) related that SGT b(6), b(7)(C) purchased the house he currently lives in through his parents name and rents the house from himself in an effort to obtain a free house because he could not move around the house he is currently in with his disability. Mr. b(6), b(7)(C) also provided a Veteran's Administration Compensation application which Mr. b(6), b(7)(C) reported was filled out by Mr. b(6), b(7)(C) for their mother (now deceased). On page 5 of the application Mr. b(6), b(7)(C) pointed out that Mr. b(6), b(7)(C) reported his mother's total property value as \$150,000.00. Mr. b(6), b(7)(C) also provided a copy of a lawsuit filed against him by Mr. b(6), b(7)(C) which relates the total value of properties owned by their mother to be \$594,800.00. Mr. b(6), b(7)(C) related that he provided this documentation to show some of the fraud issues he was concerned about with Mr. b(6), b(7)(C) and SGT b(6), b(7)(C) and the reason he began to believe they might not be honest and SGT b(6), b(7)(C) may have committed the war crimes he bragged about. ///Last Entry///</p>			
TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION Fort Hood CID Office, 6 th MP GRP (CID), Fort Hood, TX 76544	
SIGN b(6), b(7)(C)		DATE 30 Jun 09	EXHIBIT 1

SWORN STATEMENT

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

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

DATE: 30 Jun 09

TIME: 1302 hrs

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

SSAN: [REDACTED]

STATUS: CIV

ORGANIZATION/ADDRESS: b(6), b(7)(C)

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

I, b(6), b(7)(C) want to make the following statement under oath: My Nephew, SGT b(6), b(7)(C) b(6), b(7)(C) served with 1/9 IN of 2nd Infantry Division out of Ft. Carson, CO. He enlisted into the Army, under a "Special Forces" enlistment, midway through his senior year of high school around November 2002, with his parents' accompaniment/permission at the recruiting station in Springfield, MA. He graduated from East Longmeadow High School in June 2003 and began Infantry basic training in August 2003. He married b(6), b(7)(C) of Chicopee, MA late in 2003.

The following are the comments SGT b(6), b(7)(C) made to me regarding the deaths of 2 unarmed people while he was serving in Iraq:

According to SGT b(6), b(7)(C) His unit deployed to Ar Ramadi in, I believe, Aug/Sept 2004. While home on leave, SGT b(6), b(7)(C) told a story about a mission wherein he entered a room in a house in Ar Ramadi. He spoke of entering this room where he witnessed a man (presumably Iraqi) raping a young woman. The man was unarmed. According to statements that SGT b(6), b(7)(C) made directly to me this man surrendered with his arms in the air. He presented no threat to b(6), b(7)(C) and this man did not attempt to escape. b(6), b(7)(C) armed with a squad automatic weapon (SAW) at the time, opened fire on the unarmed man, killing him. He actually described how effective the SAW is in "cutting someone" in half.

According to SGT b(6), b(7)(C) during the same tour of duty and in Ar Ramadi, SGT b(6), b(7)(C) and other members of his squad were tasked with providing security on the roof top of the building his unit occupied. I am uncertain as to the unit occupying the building - i.e. whether it was a squad, platoon, company, etc. While on this roof top, his best friend (a soldier whose name is now tattooed on SGT b(6), b(7)(C) body) was shot in the head by a sniper. This soldier (SGT b(6), b(7)(C) friend and squadmate) was killed instantly.

SGT b(6), b(7)(C) claims that, accompanied by Iraqi counterparts (i.e. either Iraqi police or national guard), he and his fellow soldiers and Iraqi counterparts were able to locate the sniper in the days that followed. When translators asked questions, the sniper smiled proudly of his accomplishment in killing SGT b(6), b(7)(C) squadmate. SGT b(6), b(7)(C) states he was convinced he had found the sniper who had killed his squadmate. At this point, the sniper was a non-combatant and in the custody of those present. When asked "What would you like to do SGT b(6), b(7)(C)" SGT b(6), b(7)(C) responded, "Do him 'old school'." SGT b(6), b(7)(C) handed custody of the sniper over to his Iraqi counterparts. SGT b(6), b(7)(C) then stated that the Iraqi counterparts strung up a noose in the same building where they found the sniper. SGT b(6), b(7)(C) then watched, supervised and approved of the hanging death of this sniper.

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

INITIALS OF PERSON MAKING STATE

"Statement of [redacted] Continued:"

SGT [redacted] has also spoken of drawing and quartering enemy personnel using farm animals and he also speaks of other questionable incidents. He has offered little detail with regard to the farm animal incident or the other questionable incidents.

Q: SA [redacted]

A: Mr. [redacted]

Q: Do you have the contact information for SGT [redacted]

A: He lives at [redacted] The current phone number I have for him is [redacted]

Q: Has he told anyone else about these incidents?

A: His father, [redacted] his mother, [redacted] His sister, [redacted] and his brother, [redacted]

Q: Do you have contact information for these individuals.

A: SGT [redacted] currently lives with his parents at the above address and number. [redacted] and [redacted] live at..The same address as SGT [redacted]

Q: Do you have the contact information for Mrs. [redacted]

A: I don't know where she lives now.

Q: Was SGT [redacted] married to Mrs. [redacted] at the time of this incident?

A: Yes.

Q: Are SGT [redacted] and Mrs. [redacted] still married?

A: No, they are divorced.

Q: Do you know the specific timeframe of these incidents other than Aug/Sep 2004 - 2005?

A: SGT [redacted] made these comments to me about 6-7 months after he deployed. I don't have a more specific timeframe than that.

Q: Why was he making these comments?

A: He was bragging about them.

Q: Where were these comments made?

A: At his residence listed above. I heard them in person.

Q: What was the name of the soldier shot by the sniper?

A: PFC Ming Sun, DOB 10/23/86.

Q: Where on SGT [redacted] body is the soldier's name tattooed?

A: I am not sure.

Q: Why are you reporting these incidents now?

A: At first I thought he was making up his accounts of the incidents, but as time went on I grew more concerned by the behavior of SGT [redacted] with his father in the handling of his personal finances and attempted fraud with the VA. I can provide documentation

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

A: No // End of Statement // Yes, SGT [redacted] also had a sizable settlement when he was disabled. He used that money to purchase a home in his parents name and rents it to himself. SGT [redacted] then applied for a free home and was given one by Homes For Troops because he was renting substandard housing.

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

A: No // End of Statement // [redacted]

INITIALS OF PERSON MAKING STATEMENT [redacted]

0076-09CID08161558

"Statement of b(6), b(7)(C)

Continued:"

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 UNDERSTOOD 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 30 Day of June, 2009

^{b(6), b(7)(C)}

(Signature of Person Administering Oath)

Special Agent ^{b(6), b(7)(C), b(7)(F)}
(Typed Name of Person Administering Oath)

ORGANIZATION AND ADDRESS

10 USC, 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

^{b(6), b(7)(C)}

Page 3 of 3 Pages

Login to Post a Response

Homes For Our Troops to build new home for Sgt. Ecker

By Courtney Llewellyn

Reminder Assistant Editor

EAST LONGMEADOW -- The community has pulled together in the past to support Sgt. Mark Ecker II, a native son who was critically injured while serving in Iraq in February 2007. Now, a nationally-recognized non-profit wants to help him out as well.

Homes For Our Troops (HFOT), based in Taunton, Mass., has selected Ecker as the recipient of a brand new, specially adapted home, to be built here in his hometown.

"They [HFOT] called me and let me know about [what they do]," Ecker told Reminder Publications. He said he and his father attended an information session in Taunton before he applied for the opportunity to have a new home built for him.



Sgt. Mark Ecker
Reminder file photo

After Ecker was released from Walter Reed Army Medical Center in Washington, D.C., he moved to Colorado to stay close to his friends from his Army unit. Once he and his "Army buddies" went their separate ways, Ecker found himself visiting his family in East Longmeadow more and more often, so he decided to move back home.

He currently rents a two-story home, according to his mother, Deb. "He mostly lives on the first floor, but there are a few stairs. If his prosthetics are working properly, which they usually do, there's no problem, but if they act up ... There's no accessibility in a wheelchair in his current home."

Vicki Thomas, media relations for HFOT, said each home built by the organization is designed specifically for the injured soldier.

"In the first five years, we built 37 houses," Thomas said. "This year alone we will be building 35." She noted that Ecker's new home will be the fourth built by HFOT in the Commonwealth and the first in Western Massachusetts.

However, work cannot begin on Ecker's new home until land has been set aside and all the funds are raised for the project.

Board of Selectmen Chair Jim Driscoll is aiming to settle the land issue for Ecker. He has placed an article on the warrant for the Annual Town Meeting that would permit the town to donate land

on Arch Street, off of Westwood Avenue, for the injured soldier's home.

"I put it on the warrant because I've been involved with Homes For Our Troops," Driscoll said. "They are a great group of people and I know the biggest obstacle is finding land."

"Homes For Our Troops is also looking for people to provide donations, labor, time and materials," Deb explained.

An official registration day for those interested in helping Ecker and HFOT build a new home will take place April 8 from 1 to 8 p.m. at the Basketball Hall of Fame in Springfield. Dawn Currier, an East Longmeadow resident and an agent with Keller Williams Realty, is working on spreading the word about this effort.

"Mark is so deserving of this house," Currier said. "Everyone can help. This town is full of wonderful, great people."

People can make monetary donations or provide services or materials for the actual building. Services still needed include a general contractor, ADA-compliant safety accessories, an architect, brick and mortar, concrete, counter tops, driveway installation, driveway materials, drywall work, dumpster/disposal services, electrical labor, electrical supplies, engineering, exterior doors, exterior millwork, flooring, general labor, gutters, heating system, HVAC, interior doors and millwork, kitchen and bath cabinets, kitchen and batch fixtures, landscaping and landscaping materials, lighting, lumber, miscellaneous rental equipment, paint, painting, plumbing materials and labor, portable toilet, roof trusses, insulation and garage doors, roofing materials and installation, septic system and installation, sheetrock, site work and excavation, storm shutters, a title closing attorney, title insurance and window treatments and installation.

"It was a little overwhelming at first [to know I was getting a new home]," Ecker said, "to know this is for me. I felt a little guilty about accepting it at first, but I'm really excited about getting a new home."

For more information about HFOT or to donate funds or services online, visit www.homesforourtroops.org.

Reminder Publications, Inc. 280 North Main St., East Longmeadow, MA 01028 • Ph 413.525.6661 • fax 413.525.5882

Hyperlink for this article –

<http://www.thereReminder.com/localnews.eastlongmeadow/homesforourtroopst>



Department of Veterans Affairs

Application for Dependency and Indemnity Compensation, Death Pension and Accrued Benefits by a Surviving Spouse or Child (Including Death Compensation if Applicable) VA Form 21-534

09-09-CID 034 - 0076-09CID 08161558 OMB Approved No. 2900-0004 Respondent Burden: 1 hour 15 minutes

VA DATE STAMP (DO NOT WRITE IN THIS SPACE)

Please read the attached "General Instructions" before you fill out this form.

SECTION I Tell us what you are applying for and what you and the deceased veteran have applied for

1. Did the veteran ever file a claim with VA? 2. What is the VA file number? 3. Has the surviving spouse or child ever filed a claim with VA? 4. What is the VA file number? 5. What is the name of the person on whose service the claim was filed? 6. What is your relationship to that person? 7. Are you claiming service connection for cause of death?

SECTION II Tell us about you and the deceased veteran

8. What is the veteran's name? JOHN L ECKER 9. What is the veteran's Social Security number? (b)(6) 10a. Did the veteran serve under another name? 10b. Please list the other name(s) the veteran served under: 11. What is the veteran's date of birth? 08 31 1923

Attach a copy of the death certificate unless the veteran died in active service of the Army, Navy, Air Force, Marine Corps, or Coast Guard, or in a U.S. government institution.

12. What is the veteran's date of death? 09 13 1978 13. Was the veteran a former prisoner of war? 14. What is your name? (First, Middle, Last Name) (b)(6) 15. What is your relationship to the veteran? (check one) Surviving Spouse Child

16. What is your address? (b)(6) Street address, Rural Route, or P.O. Box Apt. number (b)(6) City State ZIP Code Country 17. What are your telephone numbers? (Include Area Code) Daytime Evening (b)(6) 18. What is your e-mail address?

19. What is your Social Security number? (b)(6) 20. What is your date of birth? (b)(6) mo day yr

SECTION VII Tell us the net worth of you and your dependents

Note: If you are filing this application on behalf of a minor or incompetent child of the veteran and you are the child's custodian, you must report your net worth as well as the net worth of the child for whom benefits are claimed.

VA cannot pay you pension if your net worth is sizeable. Net worth is the market value of all interest and rights you have in any kind of property less any mortgages or other claims against the property. However, net worth does not include the house you live in or a reasonable area of land it sits on. Net worth also does not include the value of personal things you use everyday like your vehicle, clothing, and furniture. You must report net worth for yourself and all persons for whom you are claiming benefits.

For Items 33a through 33f, provide the amounts. If none, write "0" or "None."

Source	Surviving spouse or Custodian of children	Child(ren)		
		Name: <i>(first, middle initial, last)</i>	Name: <i>(first, middle initial, last)</i>	Name: <i>(first, middle initial, last)</i>
33a. Cash, bank accounts, certificates of deposit (CDs)	(b)(6)			
33b. IRAs, Keogh Plans, etc.	0			
33c. Stocks, bonds, mutual funds	0			
33d. Value of business assets	0			
33e. Real property (not your home)	(b)(6)			
33f. All other property	0			

SECTION VIII Tell us about the income of you and your dependents

Payments from any source will be counted, unless the law says that they don't need to be counted. Report all income, and VA will determine any amount that does not count.

Note: If you are filing this application on behalf of a minor of whom you are the custodian, you must report your income as well as the income of each child for whom benefits are claimed.

Report the total amounts before you take out deductions for taxes, insurance, etc. Do not report the same information in both tables. If you expect to receive a payment, but you don't know how much it will be, write "Unknown" in the space. If you do not receive any payments from one of the sources that we list, write "0" or "None" in the space. If you are receiving monthly benefits, give us a copy of your most recent award letter. This will help us determine the amount of benefits you should be paid.

<p>34a. Have you claimed or are you receiving benefits from the Social Security Administration on your own behalf or on behalf of child(ren) in your custody?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>(If "Yes," answer item 34b)</i></p>	<p>34b. Is Social Security based on your own employment?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>35. Has a surviving spouse or child filed a claim for compensation from the Office of Worker's Compensation Programs based on the death of the veteran?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>36. Has a court awarded damages based on the death of the veteran or is a claim or legal action for damages pending?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>37. Have you claimed or are you receiving Survivor Benefit Plan (SBP) annuity from a service department based on the death of the veteran?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

SECTION III Tell us about the veteran's active duty service

1. Enter complete information for all periods of service. If more space is needed use Item 48 "Remarks."
 2. If the veteran never filed a claim with VA, attach the original DD214 or a certified copy for each period of service listed. We will return original documents to you.

Note: Skip to Section IV if the veteran was receiving VA compensation or pension at the time of his/her death.

21a. Entered Active Service (first period) 10-26-1942 mo day yr	21b. Place FTGG MEADE MD	21c. Service Number 13184950	
21d. Left This Active Service 01-22-1946 mo day yr	21e. Place UNIT B SECTR 45 JGMR PA	21f. Branch of Service ARMY	21g. Grade, Rank, or Rating T/4
21h. Entered Active Service (second period) _____ mo day yr	21i. Place	21j. Service Number	
21k. Left This Active Service _____ mo day yr	21l. Place	21m. Branch of Service	21n. Grade, Rank, or Rating

SECTION IV Tell us about your and the veteran's marital history

Attach a copy of your marriage certificate showing your marriage to the veteran.

Note: Skip to Section V if the veteran was receiving additional VA benefits for you as his/her spouse at the time of his/her death unless you remarried after the veteran's death.

You must furnish complete information about all marriages of the surviving spouse and the veteran. If you need additional space, please attach a separate sheet of paper providing the requested information about the marriages.

The veteran's marriages

22a. How many times was the veteran married? 2

22b. Date of Marriage	22c. Place (city/state or country)	22d. To whom married (first, middle initial, last name)	22e. Date marriage ended	22f. Place (city/state or country)	22g. How marriage ended (death, divorce)
(b) (6) mo day yr	(b) (6)	(b) (6)	(b) (6) mo day yr	(b) (6)	(b) (6)
(b) (6) mo day yr	(b) (6)	(b) (6)	(b) (6) mo day yr	(b) (6)	(b) (6)

The surviving spouse's marriages. Note: Items 23a through 27 should be completed by the veteran's surviving spouse. If the claimant is not the surviving spouse, skip to Section V.

23a. How many times were you married? 1 23b. Have you remarried since the death of the veteran? Yes No

23c. Date of Marriage	23d. Place (city/state or country)	23e. To whom married (first, middle initial, last name)	23f. Date marriage ended	23g. Place (city/state or country)	23h. How marriage ended (death, divorce)
_____ mo day yr			_____ mo day yr		
_____ mo day yr			_____ mo day yr		

SECTION IV Tell us about your and the veteran's marital history (continued)

Answer Item 24 only if you were married to the veteran for less than one year.

	24. Was a child born to you and the veteran during your marriage or prior to your marriage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	25. Are you expecting the birth of a child of the veteran? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	26. Did you live continuously with the veteran from the date of marriage to the date of his/her death? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>(If "No", answer Item 27)</i>	27. What was the cause of the separation? Give the reason, date(s), and duration of the separation. If the separation was by court order, attach a copy of the order.

SECTION V Tell us about the unmarried children of the veteran

Note: You should provide a copy of the public record of birth or a copy of the court record of adoption for each child listed in Item 28a unless the veteran was receiving additional VA benefits for the child.

If you need additional space, please attach a separate sheet of paper providing the requested information about each child.

Note: Skip to Section VI if you are not claiming benefits for any children that meet the following criteria.

VA recognizes the veteran's biological children, adopted children, and stepchildren as dependents. These children must be unmarried and:

- under age 18, or
- at least 18 but under 23 and pursuing an approved course of education, or
- of any age if they became permanently unable to support themselves before reaching age 18.

"Seriously disabled" (Item 29e) means that the child became permanently unable to support himself/herself before reaching age 18. Furnish a statement from an attending physician or other medical evidence which shows the nature and extent of the physical or mental impairment.

Note to surviving spouse: If entitlement to DIC is established, a "seriously disabled" child over age 18 is entitled to receive DIC benefits in his or her own right. A veteran's child who is seriously disabled and over age 18 must submit a separate VA Form 21-534 to apply for benefits.

28a. Name of child (First, middle initial, Last)	28b. Date and place of birth (City/State or Country)	28c. Social Security Number	29a. Biological	29b. Adopted	29c. Stepchild	29d. 18 - 23 yrs old and in school	29e. Seriously disabled	29f. Child previously married
	_____ mo day yr		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	_____ mo day yr		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	_____ mo day yr		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION V Tell us about the unmarried children of the veteran (continued)

Tell us about the children listed above that don't live with you.

30a. Name of child (first, middle initial, last)	30b. Child's Complete Address	30c. Name of person the child lives with (if applicable)	30d. Monthly amount you contribute to child's support
			\$
			\$
			\$

SECTION VI Tell us if you are housebound, in a nursing home or require aid and attendance

If you answered "yes" to Item 31 and are not in a nursing home, submit a statement from your doctor showing the extent of your disabilities. If you are in a nursing home, attach a statement signed by an official of the nursing home showing the date you were admitted to the nursing home, the level of care you receive, the amount you pay out-of-pocket for your care, and whether Medicaid covers all or part of your nursing home costs.

31. Are you claiming aid and attendance allowance and/or housebound benefits because you need the regular assistance of another person, are having severe visual problems, or are housebound?

Yes No

(If "No," skip to section VII)

32a. Are you now in a nursing home?

Yes No

(If "Yes," answer Items 32b and 32c also)

32b. What is the name and complete mailing address of the facility?

32c. Does Medicaid cover all or part of your nursing home costs?

Yes No

(If "No," answer Item 32d also)

32d. Have you applied for Medicaid?

Yes No

SECTION VIII Tell us about the income of you and your dependents (continued)

Monthly Income - Tell us the income you and your dependents receive every month

Sources of recurring monthly income	Surviving spouse or Custodian of children	Child(ren)		
		Name: (first, middle initial, last)	Name: (first, middle initial, last)	Name: (first, middle initial, last)
38a. Social Security	\$1,000			
38b. U.S. Civil Service	—			
38c. U.S. Railroad Retirement	—			
38d. Military Retirement	—			
38e. Black Lung Benefits	—			
38f. Supplemental Security Income (SSI)/ Public Assistance	—			
38g. Other income received monthly (Please write source below:)	—			

Expected income next 12 months - Tell us about other income for you and your dependents

Report expected income for the 12 month period following the veteran's death. If the claim is filed more than one year after the veteran died, report the expected income for the 12 month period from the date you sign this application.

Sources of income for the next 12 months	Surviving spouse or Custodian of children	Child(ren)		
		Name: (first, middle initial, last)	Name: (first, middle initial, last)	Name: (first, middle initial, last)
39a. Gross wages and salary	—			
39b. Total dividends and interest	—			
39c. Other income expected (Please write source below:)	—			
39d. Other income expected (Please write source below:)	—			

SECTION IX

Tell us about medical, last illness, burial or other unreimbursed expenses

Family medical expenses and certain other expenses actually paid by you may be deductible from your income. Show the amount of any continuing family medical expenses such as the monthly Medicare deduction or nursing home costs you pay. Also, show unreimbursed last illness and burial expenses and educational or vocational rehabilitation expenses you paid. Last illness and burial expenses are unreimbursed amounts paid by you for the veteran's or his/her child's last illness and burial and the veteran's just debts. Educational or vocational rehabilitation expenses are amounts paid for courses of education, including tuition, fees, and materials. **Do not** include any expenses for which you were reimbursed. If you receive reimbursement after you have filed this claim, promptly advise the VA office handling your claim. If more space is needed attach a separate sheet.

40a. Amount paid by you	40b. Date Paid	40c. Purpose (Medicare deduction, nursing home costs, burial expenses, etc.)	40d. Paid to (Name of nursing home, hospital, funeral home, etc.)	40e. Relationship of person for whom expenses paid
\$	mo day yr			
\$	mo day yr			
\$	mo day yr			
\$	mo day yr			

SECTION X

Give us direct deposit information

If benefits are awarded we will need more information in order to process any payments to you. Please read the paragraph starting with, "All Federal payments..." and then either:

1. Attach a voided check, or
2. Answer questions 41-43 to the right.

All Federal payments beginning January 2, 1999, must be made by electronic funds transfer (EFT) also called Direct Deposit. Please attach a voided personal check or deposit slip or provide the information requested below in Items 41, 42, and 43 to enroll in Direct Deposit. If you do not have a bank account we will give you a waiver from Direct Deposit, just check the box below in Item 41. The Treasury Department is working on making bank accounts available to you. Once these accounts are available, you will be able to decide whether you wish to sign-up for one of the accounts or continue to receive a paper check. You can also request a waiver if you have other circumstances that you feel would cause you a hardship to be enrolled in Direct Deposit. You can write to: Department of Veterans Affairs, 125 S. Main Street Suite B, Muskogee OK 74401-7004, and give us a brief description of why you do not wish to participate in Direct Deposit.

41. Account number (Please check the appropriate box and provide that account number, if applicable)

- Checking
 Savings

I certify that I do not have an account with a financial institution or certified payment agent

Account number _____

42. Name of financial institution

43. Routing or transit number

SECTION XI
Give us your signature

1. Read the box that starts, "I certify and authorize the release of information."
2. Sign the box that says, "Your signature."
3. If you sign with an "X," then you must have 2 people you know witness you as you sign. They must then sign the form and print their names and addresses also.

I certify and authorize the release of information:
 I certify that the statements in this document are true and complete to the best of my knowledge. I authorize any person or entity, including but not limited to any organization, service provider, employer, or government agency, to give the Department of Veterans Affairs any information about me except protected health information, and I waive any privilege which makes the information confidential.

44. Your signature		45. Today's date <u>3-24-08</u> mo day yr
46a. Signature of witness (If claimant signed above using an "X")	46b. Printed name and address of witness	
47a. Signature of witness (If claimant signed above using an "X")	47b. Printed name and address of witness	

SECTION XII
Remarks - Use this space for any additional statements that you would like to make concerning your application.

48. Remarks (If you need more space to answer a question or have a comment about a specific item number on this form please identify your answer or statement by the part and item number)

IMPORTANT

Penalty: The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material fact, knowing it to be false, or for the fraudulent acceptance of any payment which you are not entitled to.



AUTHORIZATION AND CONSENT TO RELEASE INFORMATION TO THE DEPARTMENT OF VETERANS AFFAIRS (VA)

Important Notice About Information Collection: We need this information to obtain your treatment records. Title 38, United States Code, allows us to ask for this information. We estimate that you will need an average of 5 minutes to review the instructions, find the information and complete this form. VA cannot conduct or sponsor a collection of information unless a valid OMB control number is displayed. You are not required to respond to a collection of information if this number is not displayed. Valid OMB control numbers can be located on the OMB Internet Page at www.whitehouse.gov/library/omb/OMBINVC.html#VA. If desired, you can call 1-800-827-1000 to get information on where to send comments or suggestions about this form.

IF YOU HAVE ANY QUESTIONS ABOUT THIS FORM, CALL VA TOLL-FREE AT 1-800-827-1000
(TDD 1-800-829-4833 FOR HEARING IMPAIRED).

SECTION I - VETERAN/CLAIMANT IDENTIFICATION

1. LAST NAME, FIRST NAME, MIDDLE NAME OF VETERAN (Type or print)	2. VETERAN'S VA FILE NUMBER
(b)(6)	(b)(6)
3. CLAIMANT'S NAME (If other than Veteran) LAST NAME, FIRST NAME, MIDDLE NAME	4. VETERAN'S SOCIAL SECURITY NUMBER
	(b)(6)
5. RELATIONSHIP OF CLAIMANT TO VETERAN	6. CLAIMANT'S SOCIAL SECURITY NUMBER
	(b)(6)

SECTION II - SOURCE OF INFORMATION

7A. LIST THE NAME AND ADDRESS OF THE SOURCE SUCH AS A PHYSICIAN, HOSPITAL, ETC. (Include ZIP Codes, and also a telephone number, if available)	7B. DATE(S) OF TREATMENT, HOSPITALIZATIONS, OFFICE VISITS, DISCHARGE FROM TREATMENT OR CARE, ETC. (Include month and year)	7C. CONDITION(S) (Illness, injury, etc.)
(b)(6) WILBRAHAM MA 01095	2-08	CANCER

8. COMMENTS:

YOU MUST SIGN AND DATE THIS FORM ON PAGE 2 AND CHECK THE APPROPRIATE BLOCK IN ITEM 9C.

SECTION III - CONSENT TO RELEASE INFORMATION

READ ALL PARAGRAPHS CAREFULLY BEFORE SIGNING. YOU MUST CHECK THE APPROPRIATE STATEMENT UNDERLINED IN PARENTHESES IN PARAGRAPH 9C.

9A. Privacy Act Notice: The VA will not disclose information collected on this form to any source other than what has been authorized under the Privacy Act of 1974 or Title 38, Code of Federal Regulations 1.576 for routine uses (i.e., civil or criminal law enforcement, congressional communications, epidemiological or research studies, the collection of money owed to the United States, litigation in which the United States is a party or has an interest, the administration of VA programs and delivery of VA benefits, verification of identity and status, and personnel administration) as identified in the VA system of records, 58VA21/22/28 Compensation, Pension, Education, and Rehabilitation Records - VA, and published in the Federal Register. Your obligation to respond is voluntary. However, if the information including your Social Security Number (SSN) is not furnished completely or accurately, the health care provider to which this authorization is addressed may not be able to identify and locate your records, and provide a copy to VA. VA uses your SSN to identify your claim file. Providing your SSN will help ensure that your records are properly associated with your claim file. Giving us your SSN account information is voluntary. Refusal to provide your SSN by itself will not result in the denial of benefits. The VA will not deny an individual benefits for refusing to provide his or her SSN unless the disclosure of the SSN is required by Federal Statute of law in effect prior to January 1, 1975, and still in effect.

9B. I, the undersigned, hereby authorize the hospital, physician or other health care provider or health plan shown in Item 7A to release any information that may have been obtained in connection with a physical, psychological or psychiatric examination or treatment, with the understanding that VA will use this information in determining my eligibility to veterans benefits I have claimed. I understand that the health care provider or health plan identified in Item 7A who is being asked to provide the Veterans Benefits Administration with records under this authorization may not require me to execute this authorization before it will, or will continue to, provide me with treatment, payment for health care, enrollment in a health plan, or eligibility for benefits provided by it. I understand that once my health care provider sends this information to VA under this authorization, the information will no longer be protected by the HIPAA Privacy Rule, but will be protected by the Federal Privacy Act, 5 USC 552a, and VA may disclose this information as authorized by law. I also understand that I may revoke this authorization, at anytime (except to the extent that the health care provider has already released information to VA under this authorization) by notifying the health care provider shown in Item 7A. Please contact the VA Regional Office handling your claim or the Board of Veterans' Appeals, if an appeal is pending, regarding such action. If you do not revoke this authorization, it will automatically end 180 days from the date you sign and date the form (Item 10C).

9C. I (AUTHORIZE) (DO NOT AUTHORIZE) the source shown in Item 7A to release or disclose any information or records relating to the diagnosis, treatment or other therapy for the condition(s) of drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus (HIV), sickle cell anemia or psychotherapy notes. IF MY CONSENT TO THIS INFORMATION IS LIMITED, THE LIMITATION IS WRITTEN HERE:

10A. SIGNATURE OF VETERAN/CLAIMANT OR LEGAL REPRESENTATIVE	10B. RELATIONSHIP TO VETERAN/CLAIMANT <i>(If other than self, please provide full name, title, organization, city, State and ZIP Code. All court appointments must include docket number, county and State)</i>	10C. DATE 3-24-08
--	--	--------------------------

10D. MAILING ADDRESS OF VETERAN/CLAIMANT OR LEGAL REPRESENTATIVE (Include P.O. State and ZIP Code) (b)(6)	10E. TELEPHONE NUMBER (Include Area Code) (b)(6)
--	---

The signature and address of a person who either knows the person signing this form or is satisfied as to that person's identity is requested below. This is not required by VA but may be required by the source of the information.

11A. SIGNATURE OF WITNESS	11B. DATE
---------------------------	-----------

11C. MAILING ADDRESS OF WITNESS

0459-0340 034

Department of Veterans Affairs **APPOINTMENT OF VETERANS SERVICE ORGANIZATION AS CLAIMANT'S REPRESENTATIVE**

Note - If you would prefer to have an individual assist you with your claim, you may use VA Form 21-22a, "Appointment of Individual As Claimant's Representative."

IMPORTANT - PLEASE READ THE PRIVACY ACT AND RESPONDENT BURDEN ON REVERSE BEFORE COMPLETING THE FORM

1. LAST-FIRST-MIDDLE NAME OF VETERAN ECKER, JOHN (b)(6)	2. VA FILE NUMBER (Include prefix)
3A. NAME OF SERVICE ORGANIZATION RECOGNIZED BY THE DEPARTMENT OF VETERANS AFFAIRS (See list on reverse side before selecting organization) DISABLED AMERICAN VETERANS	
3B. JOB TITLE OF OFFICIAL REPRESENTATIVE AUTHORIZED TO ACT ON VETERAN'S BEHALF	

INSTRUCTIONS - TYPE OR PRINT ALL ENTRIES

4. SOCIAL SECURITY NUMBER (b)(6)	5. INSURANCE NUMBER(S) (Include letter prefix)
6A. SERVICE NUMBER(S) 13 184 950	6B. BRANCH OF SERVICE ARMY
7. NAME OF CLAIMANT (If other than veteran)	8. RELATIONSHIP (If other than veteran)
9. ADDRESS OF CLAIMANT (No. and street or rural route, city or P.O., State and ZIP Code) (b)(6)	10. CLAIMANT'S TELEPHONE NUMBER (Include Area Code) A. DAYTIME (b)(6) B. EVENING (b)(6)
11. DATE OF THIS APPOINTMENT 3-24-08	

12. AUTHORIZATION FOR REPRESENTATIVE'S ACCESS TO RECORDS PROTECTED BY SECTION 7332, TITLE 38, U.S.C. Unless I check the box below, I do not authorize VA to disclose to the service organization named on this appointment form any records that may be in my file relating to treatment for drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus (HIV), or sickle cell anemia.

I authorize the VA facility having custody of my VA claimant records to disclose to the service organization named in Item 3A all treatment records relating to drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus (HIV), or sickle cell anemia. Redislosure of these records by my service organization representative, other than to VA or the Court of Appeals for Veterans Claims, is not authorized without my further written consent. This authorization will remain in effect until the earlier of the following events: (1) I revoke this authorization by filing a written revocation with VA; or (2) I revoke the appointment of the service organization named above, either by explicit revocation or the appointment of another representative.

13. LIMITATION OF CONSENT - My consent in Item 12 for the disclosure of records relating to treatment for drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus (HIV), or sickle cell anemia is limited as follows:

I, the claimant named in Items 1 or 7, hereby appoint the service organization named in Item 3A as my representative to prepare, present and prosecute my claim for any and all benefits from the Department of Veterans Affairs based on the service of the veteran named in Item 1. I authorize the Department of Veterans Affairs to release any and all of my records, to include disclosure of my Federal tax information (other than as provided in Items 12 and 13), to that service organization appointed as my representative. It is understood that no fee or compensation of whatsoever nature will be charged me for service rendered pursuant to this power of attorney. I understand that the service organization I have appointed as my representative may revoke this power of attorney at any time, subject to 38 CFR 20.608. Additionally, in those cases where a veteran's income is being developed because of an income verification necessitated by an Internal Revenue Service verification match, the assignment of the service organization as the veteran's representative is only valid for five years from the date this form is signed for purposes restricted to the verification match. Signed and accepted subject to the foregoing conditions.

THIS POWER OF ATTORNEY DOES NOT REQUIRE EXECUTION BEFORE A NOTARY PUBLIC

14. SIGNATURE OF CLAIMANT (Do Not Print)	15. DATE SIGNED 3-24-08
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VA USE ONLY	VA FORM 21-22-1 SENT TO:	DATE SENT	ACKNOWLEDGED (Date)	REVOKED (Reason and date)
	<input type="checkbox"/> CER FILE <input type="checkbox"/> EDU FILE <input type="checkbox"/> INSURANCE FILE <input type="checkbox"/> CH. 30 <input type="checkbox"/> DEA FILE <input type="checkbox"/> LG FILE			

NOTE: As long as this appointment is in effect the organization named herein will be recognized as the sole agent for presentation of your claim before the Department of Veterans Affairs in connection with your claim or any portion thereof.



AUTHORIZATION AND CONSENT TO RELEASE INFORMATION TO THE DEPARTMENT OF VETERANS AFFAIRS (VA)

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IF YOU HAVE ANY QUESTIONS ABOUT THIS FORM, CALL VA TOLL-FREE AT 1-800-827-1000
(TDD 1-800-829-4833 FOR HEARING IMPAIRED).

SECTION I - VETERAN/CLAIMANT IDENTIFICATION

1. LAST NAME, FIRST NAME, MIDDLE NAME OF VETERAN (Last or first)		(b)(6)	
3. CLAIMANT'S NAME (If other than Veteran) LAST NAME, FIRST NAME, MIDDLE NAME		4. VETERAN'S SOCIAL SECURITY NUMBER	
5. RELATIONSHIP OF CLAIMANT TO VETERAN		6. CLAIMANT'S SOCIAL SECURITY NUMBER	

SECTION II - SOURCE OF INFORMATION

7A. LIST THE NAME AND ADDRESS OF THE SOURCE SUCH AS A PHYSICIAN, HOSPITAL, ETC. (Include ZIP Codes, and also a telephone number, if available)	7B. DATE(S) OF TREATMENT, HOSPITALIZATIONS, OFFICE VISITS, DISCHARGE FROM TREATMENT OR CARE, ETC. (Include month and year)	7C. CONDITION(S) (Illness, injury, etc.)
(b)(6)	2-08	CANCER
HANDEN LTY KAY MAIN ST SPFLD MA 01104 77 Baylston st		

8. COMMENTS:

YOU MUST SIGN AND DATE THIS FORM ON PAGE 2 AND CHECK THE APPROPRIATE BLOCK IN ITEM 9C.

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9B. I, the undersigned, hereby authorize the hospital, physician or other health care provider or health plan shown in Item 7A to release any information that may have been obtained in connection with a physical, psychological or psychiatric examination or treatment, with the understanding that VA will use this information in determining my eligibility to veterans benefits I have claimed. I understand that the health care provider or health plan identified in Item 7A who is being asked to provide the Veterans Benefits Administration with records under this authorization may not require me to execute this authorization before it will, or will continue to, provide me with treatment, payment for health care, enrollment in a health plan, or eligibility for benefits provided by it. I understand that once my health care provider sends this information to VA under this authorization, the information will no longer be protected by the HIPAA Privacy Rule, but will be protected by the Federal Privacy Act, 5 USC 552a, and VA may disclose this information as authorized by law. I also understand that I may revoke this authorization, at anytime (except to the extent that the health care provider has already released information to VA under this authorization) by notifying the health care provider shown in Item 7A. Please contact the VA Regional Office handling your claim or the Board of Veterans' Appeals, if an appeal is pending, regarding such action. If you do not revoke this authorization, it will automatically end 180 days from the date you sign and date the form (Item 10C).

9C. I (AUTHORIZE) (DO NOT AUTHORIZE) the source shown in Item 7A to release or disclose any information or records relating to the diagnosis, treatment or other therapy for the condition(s) of drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus (HIV), sickle cell anemia or psychotherapy notes. IF MY CONSENT TO THIS INFORMATION IS LIMITED, THE LIMITATION IS WRITTEN HERE:

10A. SIGNATURE OF VETERAN/CLAIMANT OR LEGAL REPRESENTATIVE	10B. RELATIONSHIP TO VETERAN/CLAIMANT <i>(If other than self, please provide full name, title, organization, city, State and ZIP Code. All court appointments must include docket number, county and State)</i>	10C. DATE 3-28-08
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10D. MAILING ADDRESS (Number and Street or rural route, city or P.O., State and ZIP Code) (b)(6)	10E. TELEPHONE NUMBER (Include Area Code) (b)(6)
---	---

The signature and address of a person who either knows the person signing this form or is satisfied as to that person's identity is requested below. This is not required by VA but may be required by the source of the information.

11A. SIGNATURE OF WITNESS	11B. DATE
---------------------------	-----------

11C. MAILING ADDRESS OF WITNESS



DISABLED AMERICAN VETERANS



DSO/CSO CONTACT BRIEF

NAME: (b)(6) DATE: 3-24-08
 ADDRESS: (b)(6) PHONE: (b)(6)
 CITY: (b)(6) STATE: (b)(6) ZIP: (b)(6) E-MAIL: _____
 SSN: _____ DOB: (b)(6) C#: _____
 % OF DISABILITY(S) _____ MEMBER NO YES # _____
 BRANCH: _____ EAD: _____ RAD: _____

ACTION DESIRED: *Apply For DIC & AHA*

ACTION TAKEN: *File 21-22, 534, 4138, 4142, 2680*

FORMS: 21-22 21-526 28-1900 26-1880 10-10 EZ 4138

OTHER: _____

(b)(6) (b)(6) (b)(6)

PREPARED BY:
SUBMITTED BY:

RECEIVED & REVIEWED BY NSO: _____



STATEMENT IN SUPPORT OF CLAIM

PRIVACY ACT INFORMATION: The law authorizes us to request the information we are asking you to provide on this form (38 U.S.C. 501(a) and (b)). The responses you submit are considered confidential (38 U.S.C. 5701). They may be disclosed outside the Department of Veterans Affairs (VA) only if the disclosure is authorized under the Privacy Act, including the routine uses identified in the VA system of records, 58VA21/22, Compensation, Pension, Education and Rehabilitation Records - VA, published in the Federal Register. The requested information is considered relevant and necessary to determine maximum benefits under the law. Information submitted is subject to verification through computer matching programs with other agencies.

RESPONDENT BURDEN: VA may not conduct or sponsor, and respondent is not required to respond to this collection of information unless it displays a valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have comments regarding this burden estimate or any other aspect of this collection of information, call 1-800-827-1000 for mailing information on where to send your comments.

FIRST NAME - MIDDLE NAME - LAST NAME OF VETERAN (b)(6)	SOCIAL SECURITY NO. (b)(6)	VA FILE NO.
		C/CSS -

The following statement is made in connection with a claim for benefits in the case of the above-named veteran:

I want to file for D.I.C.
 on HUSBAND'S DEATH 9-13-1978
 and Aid & Attendance for myself as I
 have Terminal Cancer and also Bad Knees

(CONTINUE ON REVERSE)

I CERTIFY THAT the statements on this form are true and correct to the best of my knowledge and belief.

SIGNATURE	DATE SIGNED 3-24-08
-----------	------------------------

(b)(6)	TELEPHONE NUMBERS (Include Area Code) (b)(6) (b)(6)
--------	--

PENALTY: The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material

REAL ESTATE TAX BILL

TOWN OF WILBRAHAM, TAX COLLECTOR, 6 POST OFFICE SQUARE, WILBRAHAM, MA 01095

Municipal Tax Amount 3,459.77	Special Tax Amount 5,000.00	Total Tax 8,459.77
Property Tax Amount 5,000.00	Interest Due 3,459.77	Total Amount Due 8,459.77
Property Tax 5,000.00	Interest 3,459.77	Total 8,459.77

PLEASE SEE REVERSE SIDE FOR IMPORTANT TAXPAYER RIGHTS

Demand Date: 06/10/2009 BILL NO: 1317

THE COMMONWEALTH OF MASSACHUSETTS
 TOWN OF WILBRAHAM
 DEMAND FOR PAYMENT FISCAL YEAR 2009 REAL ESTATE TAX BILL
 AS REQUIRED BY LAW, DEMAND IS MADE UPON YOU FOR PAYMENT OF
 YOUR FISCAL YEAR 2009 REAL ESTATE TAXES AS FOLLOWS:
 MAKE PAYMENT TO AND REMIT TO: TOWN OF WILBRAHAM
 240 SPRINGFIELD STREET, WILBRAHAM MA 01095
 OFFICE HOURS MONDAY THRU FRIDAY 8:30 - 4:30 Date Due: 06/24/2009

TAX RATE PER \$1000	RESIDENTIAL CLASS 1	OPENSACE CLASS 2	COMMERCIAL CLASS 3	INDUSTRIAL CLASS 4
15.29	15.29	15.29	15.29	15.29
LOCATION:	00004 TALL TIMBER DR			
PARCEL ID:	114000004 5156			
RESIDENTIAL LAND:	116700	TYPE		
RESIDENTIAL BLDG:	207600	SPECIAL ASSESSMENT AMOUNT		
PG/LINE: 13354	324300	COMM. INT.		
TOTAL TAXABLE VALUATION	30000	COMMUNITY PRESERVATION ACT: \$51.44		
LAND AREA: SQ. FT.		INTEREST AT THE RATE OF 1% PER ANNUM WILL ACCRUE ON OVER-DUE PAYMENTS FROM THE DUE DATE UNTIL PAYMENT IS MADE		

ACTUAL TAX	\$4,958.55
SPECIAL ASSESSMENTS + Community Preservation Act	\$51.44
TOTAL TAX + SPEC. ASSESS	\$5,009.99
LESS AMOUNT PAID	\$1,220.56
LESS EXEMPTION/ABATE	\$0.00
TOTAL AMOUNT OVERDUE	\$3,789.43
INTEREST	\$205.64
DEMAND	\$5.00
AMOUNT DUE NOW	\$4,000.07

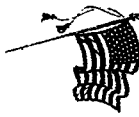
THIS FORM APPROVED BY [REDACTED] COMMISSIONER OF REVENUE

COLLECTOR (b) (6)



Disabled American Veterans
Department Service Officer

(b) (6)



Chapter #55
25 Roanoke Avenue
West Springfield, MA 01089

Home: (b) (6)
Cell: (b) (6)
Email: (b) (6) @hotmail.com

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss

Superior Court Department
Civil Action No. 09-483

MARK ECKER,

Plaintiff

vs.

JAMES ARLEN ECKER,

Defendant

AMENDED, VERIFIED
COMPLAINT

PARTIES

1. The Plaintiff, Mark Ecker (herein after referred to as Plaintiff or Mark) is an individual and he resides at 20 Mereline Avenue, East Longmeadow, Massachusetts.
2. The Defendant, James Arlen Ecker (hereinafter referred to as Defendant or Arlen) is an individual who resides at 7916 Blacktail Trail, McKinney, Texas.
3. This Court has equity jurisdiction over this action and personal jurisdiction over the Defendant as he has engaged in conduct in Massachusetts and is the owner of Massachusetts real estate which is the subject matter of this action.

FACTS

4. Mark Ecker and James Arlen Ecker are brothers. Their parents were John Leonard Ecker and Irene L. Ecker. John Leonard Ecker died in the late 1970's, Irene Ecker died April 9, 2008.
5. There are two other children in the Ecker family, both adults, Jennifer Ecker resides in Hampden, Massachusetts. J. Leonard Ecker (Leonard) is in custody at the Medical Center for Federal Prisoners in Springfield, Missouri.
6. Irene Ecker died April 9, 2008 due to complications from lung cancer that she had battled for the 1-2 years preceding her death. Irene Ecker died without a will and no Probate proceeding has been initiated on her behalf.
7. In February 2007 Irene Ecker was informed that she was suffering terminal lung cancer.
8. That same week in February 2007 the plaintiff's son, Sergeant Mark Ecker, Jr. was seriously injured by a roadside bomb while on duty in Iraq. Sgt. Ecker lost both legs due to that injury.

9. After Mark learned of his son's injury he spent as much of his time as he could with his son. As such, Mark Ecker was out of town for extended periods of time as he was with his son who was going through prolonged and intensive therapy at the Walter Reed Army Hospital in Bethesda, Maryland. As such Mark was gone from home much more than ever before and he had less time and attention to devote to or care for his mother, Irene Ecker.
10. Up until April 2008, Mark Ecker had a very close relationship with Arlen as they spoke with one another almost daily by phone. In addition, they were working together and with their mother regarding her on going desire to make transfer or a gift of her property.
11. The discussions focused upon the transfer of Irene Ecker's real estate to Mark and Arlen jointly. In addition, Irene Ecker was attempting to sort through her desires relative to her other two children but it was anticipated that they would receive some bequest or share.
11. For approximately 30-40 years prior to her death, Irene Ecker owned two parcels of land; (a) the property known and numbered as 4 Tall Timber Drive, Wilbraham, Massachusetts. This property includes a 2,100 square foot home on .69 acres of land and has an assessed value of \$324,000; and (b) 72 Slate Lane, Plymouth, New Hampshire. This is a four acre lakefront property with a four season, vinyl sided cabin. This property has an assessed value of \$270,800.
12. The Plaintiff believes that the fair market value of both properties is substantially in excess of the assessed value and the New Hampshire property may be worth approximately twice its assessed value.
13. From February 2007 until her death in April 2008 Irene Ecker battled her cancer. As the cancer progressed she became more and more dependent on significant quantities of pain medications.
14. On or about November 17, 2007, Irene Ecker purportedly executed a Deed transferring the Plymouth, New Hampshire property to Arlen for no monetary consideration. The Deed was recorded in New Hampshire on April 4, 2004. (A copy of the Plymouth New Hampshire Deed is attached as Exhibit A)
15. On or about March 17, 2008 Irene Ecker purportedly executed a Deed transferring the Wilbraham property to Arlen for "valuable consideration of (\$0.00) zero dollars" and reserving to Irene Ecker a life estate "for her natural lifetime." The Deed was recorded with the Hampden County Land Registrar Office on April 4, 2008. (A copy of the Wilbraham Deed is attached as Exhibit B)
16. The two properties had annual real estate taxes totaling about \$10,000. In addition, these homes had normal heat, utilities, as well as day to day living expenses that Irene Ecker was paying up to the time of her death.
17. Irene Ecker died of lung cancer and complications thereto on April 9, 2008.

18. On April 11, 2008, just two days after Irene Ecker died, Arlen revealed to Mark Ecker that he had recorded deeds transferring to Arlen only the Wilbraham, Massachusetts and the Plymouth, New Hampshire properties.

19. At the time that Arlen told Mark of the transfer of the properties to him, he also told Mark that Mark should have been paying more attention to Irene Ecker that last year. As noted above, Mark Ecker spent a majority of his time with his son, Sergeant Mark Ecker, Jr. Arlen added that during her final sickness, Irene would be speaking to Arlen over the phone and Irene would ask if Arlen had heard from Mark. Arlen responded that he told his mother that he spoke to Mark all the time. Arlen acknowledged to Mark that he should not have done that, but that you (Mark) should have called her more.

20. At some point this long discussion Mark Ecker, Jr. arrived at the time in response to comments Arlen had made earlier in the discussion about Debbie Ecker, the plaintiff's wife. At that point Arlen mocked Sgt. Ecker's physical loss and threatened him physical harm.

COUNT I
(Rescission of Deed)

21. The plaintiff repeats and realleges the allegations contained in paragraphs 1 through 20 and incorporates them herein.

22. At all times prior to her death that plaintiff spoke with his mother regarding the disposition of her property, she spoke of a joint transfer to Arlen and Mark, with some undetermined provision made for her other two children.

23. Mark and Arlen prior to February 2007 spoke freely and openly with one another regarding Irene Ecker's intent to convey the property to them jointly. Indeed, when Mark communicated with Attorney Dennis Tully in 2005 regarding Irene Ecker's estate planning he communicated equally with Irene Ecker and Arlen.

24. As the lung cancer progressed after February 2007 Irene Ecker suffered from increasingly greater pain, and was placed on increasingly stronger levels of prescription, narcotic pain killers.

25. The Deed for the New Hampshire property purports to be dated in November 2007. Despite their regular contact, Arlen never informed Mark that he had received a deed for the New Hampshire property until after his mother died.

26. The Deed for the Wilbraham property is dated March 17, 2008, it was recorded April 4, 2008. Despite their regular daily contact, as Arlen was living at the Wilbraham, Massachusetts home in March 2008, Arlen did not inform Mark that he had drafted a deed, that Irene Ecker had executed a deed, or that Arlen had recorded the deed transferring the property to Arlen only, until after Irene Ecker died.

26. Arlen in securing the Deeds to the New Hampshire property and the Wilbraham property knew or had reason to know that his mother was in great distress and that her mind and judgment was susceptible to undue influence and persuasion.

27. Arlen in securing the deeds to the New Hampshire and Wilbraham properties did in fact prey upon and benefit from his mother's weakened mind and unsound judgment. In fact, while Irene Ecker was dying Arlen used Mark's absence, due to Mark's duty to care for his wounded son, as a badge of Mark's unfaithfulness to Irene Ecker.

28. The deeds that Arlen procured to the New Hampshire and the Wilbraham properties were procured by fraud and undue influence.

Wherefore, the Plaintiff requests that the Court enter an Order vacating the deeds, and that Plaintiff be awarded his costs and reasonable attorney's fees.

COUNT II
(Constructive Trust)

29. The plaintiff repeats and realleges the allegations contained in paragraphs 1 through 28 and incorporates them herein.

30. Arlen has procured the New Hampshire and Wilbraham deeds by a mixture of fraud and undue influence.

31. Irene Ecker is now deceased. Yet prior to her death she had contemplated leaving the properties to Mark and Arlen with some benefit to her other children.

32. Arlen knew of Irene Ecker's intent and due to the despair, pain medication and loneliness of her final illness, he unduly influenced his mother to transfer the two properties to solely Arlen, in contradiction of prior expressed intents.

33. The Court upon its order vacating and invalidating the Deeds must impose a constructive trust on the real estate, as well as any personal property that was owned by Irene Ecker at the time of her death.

COUNT III
(Accounting)

34. The plaintiff repeats and realleges the allegations contained in paragraphs 1 through 33 and incorporates them herein.

34. As of 2007 Irene Ecker owned the two properties and there were no mortgages or liens on either property. The annual real estate taxes on the property totaled approximately \$10,000.

35. In addition, there were other day-to-day and living costs. To date, there has been no probate proceeding initiated with respect to Irene Ecker.

36. As such, the Plaintiff seeks an accounting from the defendant with respect to any and all financial, bank, or income records relating to Irene Ecker.

WHEREFORE, the Plaintiff requests the following relief:

1. That the Deed to the Massachusetts and New Hampshire properties be rescinded as they were the product of duress and undue influence;
2. That the properties be placed in a constructive Trust and distributed to the children of Irene Ecker pursuant to the Massachusetts laws of intestacy;
3. That the Defendant be required to issue an accounting relative to all personal property transferred by his mother in her last year of life, as well as all assets remaining in her name as of the date of her death; and
4. That the Defendant pay the plaintiff's attorney's fees, costs and interest on all funds that may have been withheld.

**The Plaintiff,
Mark Ecker**

Dated: May 14, 2009

By: Timothy J. Ryan
 Timothy J. Ryan, BBO#551680
 Henry M. Downey, BBO#133040
 Ryan & Downey, P.C.
 1441 Main Street, Suite 1040
 Springfield, MA 01103-1450
 T: (413) 214-6080
 F: (413) 214-6085

Verified Complaint

I, Mark Ecker, hereby swear that I have read the foregoing Amended Complaint and that the facts stated herein are true and that no material facts have been omitted therefrom.

Signed under the pains and penalties of perjury on this the 13 day of May, 2009.

Mark R. Ecker
 Mark R. Ecker

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0076-09-CID081-61559

PAGE 1 OF 2 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 14 Jul 09, this office received a Memorandum of Transmittal, 0459-09-CID034, from the Fort Hood CID Office which detailed On 26 Jul 09, Mr (b)(6), (b)(7)(C) reported that SGT Mark R. ECKER II, (deceased) (b)(6), (b)(7)(C) committed two murders while deployed to Iraq with 1/9th Infantry Battalion, Fort Carson, CO 80913 between 2004 and 2005.

AGENT'S COMMENT: A review of the documents revealed Mr (b)(6), (b)(7)(C) also alleged that he believed SGT ECKER committed fraud against the Homes for Our Troops charitable organization by requesting a home from the organization when he already owned the home he resided in. This matter was not directly investigated by USACIDC, as it was not within the investigative purview of this office.

About 1100, 14 Jul 09, SA (b)(6), (b)(7)(C) this office, obtained information from the Homes for our Troops website, that SGT ECKER was killed in a single vehicle roll over on 10 Jul 09. SA (b)(6), (b)(7)(C) contacted the MA State Police and Arlen Police Department who confirmed SGT ECKER had died. (See Homes for Our Troops web page for details)

About 1400, 14 Jul 09, SA (b)(6), (b)(7)(C) contacted Mr (b)(6), (b)(7)(C) who confirmed SGT ECKER died in a single vehicle rollover accident in MA on 10 Jul 09. Mr (b)(6), (b)(7)(C) stated SGT ECKER's commander attempted to investigate the shooting or hanging, but because of the lack of witnesses, the case was dropped.

About 1430, 27 Jul 09, SA (b)(6), (b)(7)(C) interviewed Mrs (b)(6), (b)(7)(C) (Mother of SGT ECKER), (b)(6), (b)(7)(C) who stated SGT ECKER did not disclose information concerning crimes he allegedly committed while deployed to Iraq.

About 1440, 27 Jul 09, SA (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) (Father of SGT ECKER), (b)(6), (b)(7)(C) who stated SGT ECKER did not mention shooting Iraqi civilians. Mr (b)(6), (b)(7)(C) requested to know who made the allegations. He then asked if they came from (b)(6), (b)(7)(C) Mr (b)(6), (b)(7)(C) stated Mr (b)(6), (b)(7)(C) threatened him, stating if Mr (b)(6), (b)(7)(C) brought a lawsuit against him, Mr (b)(6), (b)(7)(C) would claim SGT ECKER was a war criminal. Mr (b)(6), (b)(7)(C) did not know the date of the threat, but that it was approximately one month ago.

About 1455, 27 Jul 09, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) 1/12th Infantry Battalion, Fort Carson, CO 80913, who stated Mr (b)(6), (b)(7)(C) advised him of the investigation regarding SGT ECKER. SFC (b)(6), (b)(7)(C) stated there were no 15-6 investigations conducted while SGT ECKER was a part of his platoon. SFC (b)(6), (b)(7)(C) stated PFC MING SUN died in 2007, which was two years later than the alleged hanging of the Iraqi sniper, according to Mr (b)(6), (b)(7)(C) statement.

(b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION West Point CID Office 616 Swift Road West Point, NY 10996
SIG (b)(6), (b)(7)(C)	DATE 28 Jul 09	EXHIBIT 7

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0076-09-CID081-61559

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DETAILS

About 1600, 27 Jul 09, SA (b)(6), (b)(7)(C) conducted an internet search which revealed PFC MING SUN was killed during combat operations in Ramadi, Iraq on 9 Jan 07. (See Honor the Fallen Webpage)

About 1100, 28 Jul 09, SA (b)(6), (b)(7)(C) traveled to (b)(6), (b)(7)(C) and met with Mr (b)(6), (b)(7)(C), Mrs (b)(6), (b)(7)(C), Ms (b)(6), (b)(7)(C) (Sister of Mr. Mark ECKER II), (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and Mrs (b)(6), (b)(7)(C) (Aunt of Mr. Mark ECKER II), (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) to discuss the investigation involving Mr. Mark ECKER II. Also in attendance were Chief (b)(6), (b)(7)(C) Chief of Police, East Longmeadow, MA 01028, and Mr. (b)(6), (b)(7)(C) Attorney at Law, 1441 Main Street, Suite 1040, Springfield, MA 01103.

About 1110, 28 Jul 09, SA (b)(6), (b)(7)(C) interviewed Mrs (b)(6), (b)(7)(C) who stated her son did not disclose information concerning the deaths of noncombatants in Iraq. Mrs (b)(6), (b)(7)(C) stated the property SGT ECKER rented belonged to her and was paid for by her. She also stated SGT ECKER was reluctant to receive a home from Homes for our Troops, and did so only after repeated suggestions from his family members.

About 1130, 28 Jul 09, SA (b)(6), (b)(7)(C) interviewed Ms (b)(6), (b)(7)(C) who stated SGT ECKER did not discuss murders committed by him or other soldiers he knew.

About 1145, 28 Jul 09, SA (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) who provided a sworn statement wherein he related his son did not inform him of crimes committed in Iraq. Mr (b)(6), (b)(7)(C) stated he believed his brother, Mr (b)(6), (b)(7)(C) invented the allegations to personally attack him and discredit his family, in face of a lawsuit involving the inheritance of assets left by their deceased mother. Mr (b)(6), (b)(7)(C) stated his brother told him he would invent the allegations against SGT ECKER if Mr (b)(6), (b)(7)(C) continued to challenge him through the lawsuit. (See Sworn Statement of Mr (b)(6), (b)(7)(C))

About 1235, 28 Jul 09, SA (b)(6), (b)(7)(C) interviewed Mrs (b)(6), (b)(7)(C) who provided a sworn statement wherein she stated she heard Mr (b)(6), (b)(7)(C) threaten to invent allegations about SGT ECKER if Mr (b)(6), (b)(7)(C) continued to challenge his inheritance. (See Sworn Statement of Mrs (b)(6), (b)(7)(C) for details)

LAW ENFORCEMENT RECORDS: Name checks conducted through the files of the local Military Police and the US Army Crime Records Center revealed no derogatory information pertaining to SGT ECKER. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION
West Point CID Office
616 Swift Road
West Point, NY 10996

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

DATE

EXHIBIT

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

28 Jul 09

7

0076-090108161558



On behalf of everyone at Homes for Our Troops, I want to offer our heartfelt condolences to the family and friends of US Army Sergeant Mark R. Ecker, II. On Friday, July 10, 2009, Mark was killed in a car accident in Andover, Massachusetts.

Mark was one of those people that you instantly liked. Quiet and reserved but full of fun and laughter and always seemed to see the positive side of life even after all he had been through with his injuries, rehabilitation and ongoing recovery.

Mark touched all of our lives in a positive way, he was the type of person that made all of us work harder to fulfill our mission to support our injured heroes and we considered him our friend.

To this true American hero, we thank you for your service to our country and for the friendship you brought into our lives. We will never forget you Mark.

John S. Gonsalves
John S. Gonsalves
President and Founder

THE 6TH ANNUAL MOTORCYCLE RIDE & RAFFLE **8.23.09**
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\$30 COFFEE RIDER \$20.00 PER PASSENGER
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Upcoming Events

July 2009

Sunday, June 28, 2009 - Saturday, July 4, 2009

The SGT. John "Kyle" Daggett Foundation - Vancouver & Camas, WA

Wednesday, July 1, 2009

Raffle Ticket Sales at Brewmasters Tavern, Williamsburg, MA 6:00 PM

Thursday, July 2, 2009

♣ Raffle tickets available at Laser 99.3 Thirsty Thursdays! 5:00 PM

Friday, July 3, 2009 - Saturday, July 4, 2009

Red, White & Blue BBQ at the Hazard Grille, Enfield, CT

Friday, July 3, 2009

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0076-09 CID 08161558

⊕ Atlanta Motor Speedway Homes for Our Troops Friday Night Drag Racing 6:30 PM

Saturday, July 4, 2009

Help a Local Hero - July 4th Celebration, Ft. Collins, CO 4:00 PM

Sunday, July 5, 2009

Poker Run, West Palm Beach, Florida 10:00 AM

Thursday, July 9, 2009

⊕ Raffle tickets available at Laser 99.3 Thirsty Thursdays! 5:00 PM

Friday, July 10, 2009

⊕ Atlanta Motor Speedway Homes for Our Troops Friday Night Drag Racing 6:30 PM

Thursday, July 16, 2009

⊕ Raffle tickets available at Laser 99.3 Thirsty Thursdays! 5:00 PM

Friday, July 17, 2009

⊕ Atlanta Motor Speedway Homes for Our Troops Friday Night Drag Racing 6:30 PM

Sunday, July 19, 2009

American Muscle 2009 Car Show & Charity Event - Malvern, PA 11:00 AM

Tuesday, July 21, 2009

Raffle Ticket Sales at Northampton Brewery, Northampton, MA 6:00 PM

Thursday, July 23, 2009

⊕ Raffle tickets available at Laser 99.3 Thirsty Thursdays! 5:00 PM

Friday, July 24, 2009

⊕ Atlanta Motor Speedway Homes for Our Troops Friday Night Drag Racing 6:30 PM

Saturday, July 25, 2009

"Bikers for Bunky!", Front Royal, VA 10:00 AM

Sons of the American Legion Annual Fundraiser 1:00 PM

Raffle Ticket Sales at Silk City Tavern, Florence, MA 6:00 PM

Sunday, July 26, 2009

⊕ Mark and Stef's Weight Loss Challenge 12:00 AM

Thursday, July 30, 2009

⊕ Raffle tickets available at Laser 99.3 Thirsty Thursdays! 5:00 PM

Friday, July 31, 2009

Pasta Dinner & Silent Auction Fundraiser for Homes For Our Troops and ALEX Knapp 5:00 PM

Raffle Ticket Sales at Packard's Bar, Northampton, MA 6:00 PM

⊕ Atlanta Motor Speedway Homes for Our Troops Friday Night Drag Racing 6:30 PM

Latest News and Updates

Volunteers build home for injured veteran in Cedar City

Travis Wood, a U.S. Army sergeant who lost a leg in the war in Afghanistan, watched Tuesday as a group of Cedar City volunteers worked on the house he is getting free of charge.

Westlake High alumni brave snakes, cliffs on 'Trek for Troops'

Falling off a cliff, altitude sickness and rattlesnake sightings number among the adventures of three Westlake Village High School alumni on their 2,650-mile fundraising trek along the length of the Pacific Coast Trail.

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EXHIBIT 8 (2)

0076-090108161558

Volunteers building home to honor Utah veteran

After his mangled body violently plummeted to the earth, the young soldier raised his face, noticed a finger was missing and wondered why he couldn't breathe.

Home puts veteran on path to getting life back

Program builds new houses for double amputees

Homes for Our Troops, soldiers, community helping build new home for wounded vet

His new brick home, which is expected to be completed within 90 days, is part of a major project by Homes for Our Troops.

Local soldier having home built

Corporal Wesley Barrientos say this is a dream come true, he told 17 News he is honored to be part of the Homes for our Troops organization.

Oakland grad hurt in Iraq getting new house in Mahomet

Sgt. Cameron Crouch wants to come home from the war, and part of that homecoming process is getting a home built.



Visit our website for kids! <http://www.kidsforourtroops.org/>

Our kids site has lots of information for kids, parents and teachers to help kids of all ages get involved in supporting our American heroes who have volunteered to defend our country and who have returned home with severe injuries and disabilities. Go there now!

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EXHIBIT 9(3-3)

0076-0907 08161558



Army Pfc. Ming Sun

20, of Cathedral City, Calif.; assigned to the 1st Battalion, 9th Infantry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, Fort Carson, Colo.; died Jan. 9 in Ramadi, Iraq, of wounds suffered when his unit came in contact with enemy forces using small-arms fire during combat patrol operations.

Died:
January 09, 2007



California soldier awarded posthumous citizenship

The Associated Press

CATHEDRAL CITY, Calif. — Ming Sun wanted to be a soldier and an American.

The Chinese immigrant got both wishes. But one came after his death in Iraq.

At his funeral Jan. 22, his parents received his Purple Heart, Bronze Star and certificate of U.S. citizenship.

"For what Ming did, we can never repay him," Cathedral City mayor Kathy DeRosa said. "This will always be Ming's home."

Sun, a 20-year-old Army private first class, was killed Jan. 9 by enemy fire in Ramadi, Iraq.

He was assigned to the 1st Battalion, 9th Infantry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, based at Fort Carson, Colo.

Sun was buried at Riverside National Cemetery.

Ming came to the United States with his parents when he was 8. Acquaintances said he wanted to become a soldier, especially after the Sept. 11 terrorist attacks.

"He tried to convince me to go to the Army," a friend, Kenny Wu, told the Desert Sun of Palm Springs. "We used to swim and play video games. I'm sad now because we can't hang around anymore."

Sun graduated from high school in 2004 and started college. He enlisted early last year as a rifleman so he could be guaranteed a trip to the front lines in Iraq.

His father, Hong-Yuan Sun, told The Gazette newspaper in Colorado earlier this month that Sun had told him he was happy in Iraq, planned to re-enlist when his three years were up and hoped to eventually become a general.

Sun's squad mates have "lost a brother," Sgt. Robert Griffith said Monday.

"It was an honor to know a great soldier. He was one of the best," he said. "Anyone who knew him won't forget his smile. He was very proud of everything he did."

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EXHIBIT 9
(1-3)

0076-090008161558

Last-minute memorial held for soldier

RaNeeka J. Claxton
The Desert Sun

A last-minute memorial was held this morning for fallen soldier and former 2004 Cathedral City High School graduate Ming Sun. The event took place in front of the school's main entrance and flagpoles.

Sun, 20, who was formerly stationed in Fort Carson, Colo., died Jan. 9 in Ramadi, Iraq, of wounds suffered when his unit came in contact with enemy forces using a rifle or pistol during combat patrol operations.

About 75 people - including the Sun family, Cathedral City Mayor Kathy DeRosa, Cathedral City High School principal Guillermo Chavez, ROTC cadets and members from the local Patriot Guard Riders whose mission is respect for all fallen servicemen - were in attendance.

A 30-second moment of silence was followed by the singing of the National Anthem over the school's loud speaker.

Ming Sun was assigned to the 1st Battalion, 9th Infantry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, Fort Carson, Colo.

Sun's father, David Sun, urged "Mr. Bush to stop sending kids with only two months in the Army, and no experience, to Iraq on the front line. They are not ready," he said.

Cathedral City High graduate dies in Iraq

RaNeeka J. Claxton
The Desert Sun

The anguished family of a 2004 Cathedral City High School graduate tearfully tried Thursday to deal with their son's death in Iraq.

Ming Sun, 20, a soldier and 2004 graduate of Cathedral City High School, was killed Tuesday in Ramadi, Iraq, of wounds from an enemy rifle or pistol, the Department of Defense announced Thursday. He was on combat patrol.

"My son was a nice guy, brave, a hero. We loved him so much, and we will miss him," his father, David Sun, said at the family's home. "It seems like every day, there's a loss of kids 19 or 20 years old."

The death announcement came a day after President Bush said he was increasing U.S. troops by 21,500 to quell Iraq's near-anarchy.

"I want the war finished as soon as possible," David Sun said. "America's job is done. I hope the Bush administration keeps the U.S. soldiers safe, and don't hurt any more families."

Ming Sun is the second U.S. serviceman from the valley killed on duty in Iraq.

Jesus Angel Gonzalez, a Marine from Indio, died April 12, 2003. He was 22.

Sun was assigned to the 1st Battalion, 9th Infantry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, Fort Carson, Colo.

He entered the Army on March 23 and joined the 2nd Brigade Combat Team Aug. 13. He received the National Defense Service Medal.

"Pfc. Sun showed extraordinary courage in serving his fellow Americans at home

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0076-09010 08161558

and abroad," Gov. Arnold Schwarzenegger stated Thursday in a press release. "Maria and I send our condolences to Ming's family and pray for their comfort during this difficult time. His courageous example will live on in our hearts."

In honor of Sun, Capitol flags will be flown at half-staff.

Sun's family owns the Palms Buffet in the Palm Springs Mall.

"He had a lot of pride. He never admitted when he felt weak," said high school friend Gilbert Napenas, 17. "We met when I was a freshman. He introduced me to all of my friends here (at the high school). He liked to play video games," Napenas said.

The last time Napenas spoke with him, Sun was just finishing his Army training.

"He told me how hard training was, how he could never slouch, and always had to stand up straight," Napenas said. "He was so excited and looking forward to going to Iraq."

Stephanie Cancel, 17, of Cathedral City said Sun was always laughing and polite, and would brighten her day.

"I remember when he got his first car, a white Lancer Evolution. He came to school bragging," she said.

Sun was a part of a group of four guys who all had white cars, called the "J-Spec" group, she said.

According to the Department of Defense, there have been 3,010 U.S. deaths in Operation Iraqi Freedom.

Return to Honor the Fallen main page



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EXHIBIT 9

(3-342)

SWORN STATEMENT

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

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.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: West Point CID Office East Longmeadow, MA
2. DATE: 2009/07/24
4. FILE NUMBER: 0076-09-CID081-61558
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. GRADE/STATUS: CIV

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

My son Mark Robert Ecker II served his country honorably and he loved his country dearly. Mark served 2 tours in Ramadi Iraq. The second tour he returned injured as a bilateral amputee at Walter Reed Army Medical Center February 28, 2007.

In my conversations with Mark upon his return he never intimated that he killed unarmed people or conducted himself in a dishonorable manner. Another allegation of trying over someone to some Iraqis I have never ever heard of and was never spoken to by my son.

I believe the reason that my brother (b)(6), (b)(7)(C) is leveling these accusations against my son is based on a lawsuit I currently have pending against (b)(6), (b)(7)(C). My mother passed away April 9, 2008 and decided her 3 properties to (b)(6), (b)(7)(C) in the 11th hour of her life. As a sibling, I chose to contest my brother getting everything. (b)(6), (b)(7)(C) threatened me and said that if I do not drop the lawsuit that he would accuse my son of war crimes and make sure that the papers (b)(6), (b)(7)(C).

At the time of the transfer of the deeds my mother was dying of cancer and taking increasing doses of pain medication including morphine.

Q: When did (b)(6), (b)(7)(C) threaten you?
A: SA (b)(6), (b)(7)(C)
Q: Did you write the narrative portion of this statement?
A: Yes
Q: Did your son, Mark ECKER II talk about murders he or anyone he knew committed in Iraq?
A: NO
Q: When did Mr. (b)(6), (b)(7)(C) threaten to make claims that your son committed these crimes? (b)(6), (b)(7)(C)

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER

STATEMENT OF Mr. (b)(6), (b)(7)(C) TAKEN AT East Longmeadow, MA DATED 28.5.09

9. STATEMENT (Continued)

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

A: ON or about June 18, 2009

Q: what do you think Mr. (b)(6), (b)(7)(C) hoped to accomplish by making false claims against your son?

A: (b)(6), (b)(7)(C) told me that if I did not drop the lawsuit that he would have attempts against me involving these baseless allegations

Q: Was your son close to (b)(6), (b)(7)(C)

A: NO

Q: Do you think your son would tell (b)(6), (b)(7)(C) stories he would not tell you?

A: Absolutely not

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

A: My son, Sgt Mark Robert Edge II served his country with honor, valor and distinction. These baseless allegations were leveled by a narcissistic sociopath who is trying to extort me out of fallowing through with a lawsuit.

Q: Did your son use money from a government settlement to make a purchase a house?

A: NO He paid rent for the house. Mark did not even want a house from his money for our troops because he felt he had received so much from the community already. He was very modest about the help other gave to him.

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

A: NO /// End of Statement /// (b)(6), (b)(7)(C)

AFFIDAVIT

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

I, Mr. (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)

(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 28th (b)(6), (b)(7)(C) July, 2009

at West Point, NY 10996

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

(Signature of Person Administering Oath)

SA

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

(Typed Name of Person Administering Oath)

10 USC Sec 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

0076-09 CID 08161558

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

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.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: West Point CID Of East Longmeadow, MA
2. DATE: 7-25-09
3. TIME: 13:12
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: CIV
8. ORGANIZATION OR ADDRESS: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
After both tours of duty in Iraq, I had many conversations with my nephew Sgt Mark R. Ecker II. There was never any occasion that Mark indicated to me that he was part of, witnessed or had any knowledge of any war crimes. He rarely described details of his missions. I have never had the Mark committed any war crimes - ever.

On April 11, 2008, I witnessed my brother (b)(6), (b)(7)(C) challenge + provoke my nephew Mark Ecker to a physical altercation. At that time, my nephew Mark Ecker was discharged from the U.S Army due to catastrophic injuries. Mark was a bilateral amputee. (b)(6), (b)(7)(C) behavior + actions were bizarre and he gave me the impression that he was mentally compromised. Since that day, I have maintained contact with (b)(6), (b)(7)(C) via telephone. In one year, it is clear that (b)(6), (b)(7)(C) has mentally decompensated. He has indicated to me that he was very angry at (b)(6), (b)(7)(C) Mark II, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) He claims his reason was that my brother (b)(6), (b)(7)(C) was challenging the deed transfer between our mother, (b)(6), (b)(7)(C) to (b)(6), (b)(7)(C) This deed transfer was done less than one month prior to our mother's death. The deed transfer is being challenged because my our mother was on undue influence when she signed the deeds to (b)(6), (b)(7)(C) our mother died of cancer, in her last month she was in extreme pain and was on high doses of Morphine and other pain medication. (b)(6), (b)(7)(C) was living with our mother at her house in Wilbraham, MA. I live 5 minutes from my moms house. (b)(6), (b)(7)(C) did not contact me + tell me about our moms impending and subsequent death. This lack of empathy and sympathy caused me great concern as to his mental state. (b)(6), (b)(7)(C)

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ 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.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Ms (b)(6), (b)(7)(C) TAKEN AT East Longmeadow DATED 28 Jul 09

9. STATEMENT (Continued)

Since April 11, 2008, I have maintained telephone contact with my brother, (b)(6), (b)(7)(C) presented as a narcissistic sociopath. He thoughts were scattered and delusional. He indicated to me on many occasions throughout the year that he was very angry with (b)(6), (b)(7)(C) because he was suing him. He would follow up by saying "I will scorch the earth if any one challenges me, Anyone (b)(6), (b)(7)(C) challenging me is like waging war with me." It is like (b)(6), (b)(7)(C) is putting a gun to my head my son (b)(6), (b)(7)(C) head, and my wife (b)(6), (b)(7)(C) head. "I will destroy (b)(6), (b)(7)(C) I have friends in high places like the Pentagon, and once I make some phone calls, the ninjas will descend on East Longmeadow and silence those assholes (b)(6), (b)(7)(C) Mark II (b)(6), (b)(7)(C) "I will have them begging for mercy, I will have my foot on (b)(6), (b)(7)(C) throat and he will yell uncle" When I am done with them there will be nothing left" when I asked (b)(6), (b)(7)(C) what he was referring to he said "I am going to notify officials in the military about Mark II's war crimes." I am going to change Mark II's status from war hero to war criminal. (b)(6), (b)(7)(C)

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

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

Q: Is (b)(6), (b)(7)(C)

A: yes

Q: Did you write the narrative portion of this statement?

A: yes

Q: Who is (b)(6), (b)(7)(C)

A: (b)(6), (b)(7)(C) is my sister in law, (b)(6), (b)(7)(C) wife.

Q: Who is (b)(6), (b)(7)(C)

A: (b)(6), (b)(7)(C) is my nephew: (b)(6), (b)(7)(C) son.

Q: Who is (b)(6), (b)(7)(C)?

A: (b)(6), (b)(7)(C) is my niece. (b)(6), (b)(7)(C) daughter.

Q: When did (b)(6), (b)(7)(C) tell you he was going to "change Mark II's status from war hero to war criminal?"

A: He said it many times over the course of the year.

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

A: In conclusion, clearly, (b)(6), (b)(7)(C) is mentally unstable and these accusations against Mark II are fueled by revenge.

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

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 ms [redacted] TAKEN AT East Longmeadow, MA DATED 28 5 09

9. STATEMENT (Continued)

[Lined area for statement content, mostly blank with a diagonal line across it]

NOT USED

[Redacted box]

AFFIDAVIT

[redacted], [redacted], 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.

[redacted] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24th day of July, 2009 at West Point, NY 10996

[Redacted witness information]

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

[Redacted name of person administering oath]

10 USC Sec 936 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [redacted]

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0256-09-CID056-

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

On 22 Jul 09, this office received a Request for Assistance from the West Point CID Office, West Point, NY to coordinate with the 1st Battalion, 9th Infantry Regiment (1-9 INF), 2nd Brigade Combat Team (2 BCT), 2nd Infantry Division (2 ID), Fort Carson CO 80913 (FCCO) Commander to determine if there were any records of deaths of Iraqi civilians involving former SGT Mark ECKER, xxx-xx (b)(6), (b)(7)(C) b(6), b(7)(C) that occurred in the Al Ramadi region during his deployment in 2004-2005.

About 1015, 23 Jul 09, telephonically interviewed MSG (b)(6), (b)(7)(C) Brigade S-3, Rear Detachment, 4th Brigade Combat Team (BCT), 4th Infantry Division (4 ID), FCCO who stated he was assigned to 1-9 INF when the unit was re-designated the 1st Battalion, 506th Infantry, 2 BCT, 2 ID based out of Korea. MSG (b)(6), (b)(7)(C) stated he deployed with the unit to Iraq in Aug 04 and returned to Fort Carson in Aug 05. MSG (b)(6), (b)(7)(C) further stated he was present with the unit when it was locally re-flagged to 1st Battalion, 12th Infantry Regiment, (1-12 INF), 4 BCT, 4 ID and did not recall any incidents or investigations, nor were there any unit records currently available at FCCO involving deaths of Iraqi civilians while deployed.

About 1227, 28 Jul 09, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) 1-12 INF, 4 BCT, 4 ID, FCCO, who stated he and SGT ECKER were good friends and SGT ECKER never mentioned any incidents in reference to Iraqi deaths while deployed. He further stated PFC Ming SUN, SGT ECKER's friend mentioned in Mr. (b)(6), (b)(7)(C) statement, did not go on deployment in 2004-2005 and died during their 2006-2007 deployment. (See Sworn Statement for details)

About 1030, 30 Jul 09, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Brigade S-3 Officer, Rear Detachment, 4 BCT, 4ID, FCCO who stated she did not locate any archived records pertaining to SGT (b)(6), (b)(7)(C) or deaths of Iraqi civilians during the 2004-2005 deployment. She further related SGT ECKER did not deploy until January 2005.

About 1400, 11 Aug 09, SA (b)(6), (b)(7)(C) conducted a search of the 2005 Fort Carson Alpha Roster for SGT ECKER and his unit members which reflected SGT ECKER was assigned to A Company, 1st Battalion, 503 Infantry Regiment (1-503 INF) on 22 Jun 05. A further search revealed the battalion commander during that time to be LTC (b)(6), (b)(7)(C) currently stationed in Korea, and the battalion command sergeant major to be CSM (b)(6), (b)(7)(C) currently stationed at Fort Knox, KY.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

48th Military Police Detachment (CID)
Fort Carson, CO 80913

SIGNATURE

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

DATE

11 Aug 09

EXHIBIT

12

**FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE
SWORN STATEMENT**

File Number : 0256-09-CID056-
Location : Fort Carson CID Office
Date : 28 Jul 09 (b)(6), (b)(7)(C) **Time:** 1227 (b)(6), (b)(7)(C)
Statement of: (b)(6), (b)(7)(C)
SSN : (b)(6), (b)(7)(C) **Grade/Status:** E-7/AD
Org/Address : 1-12 INF, 4 BCT, 4 ID, FCCO

 (b)(6), (b)(7)(C) I, SFC (b)(6), (b)(7)(C) want to make the following statement:
 I wasn't with SGT ECKER during the 2004-2005 deployment but I was his platoon sergeant during the deployment when he was injured. During our 2006-2007 deployment, On 9 Jan 2007, I was the platoon sergeant for 3rd platoon, A Company, 1-9 Infantry stationed in Ramadi, Iraq; 1LT (b)(6), (b)(7)(C) the platoon leader, was taking out a patrol to fill a crater from an IED (improvised explosive device) with concrete. In the afternoon approximately, while on the patrol he received direct fire contact and took up building positions. PFC Ming SUN went to the roof to pull security and was shot in the head. At that time, 1LT (b)(6), (b)(7)(C) came over the radio and said "I have a K.I.A. (killed in action)". I jumped in a truck with a crew and moved approximately one mile to their location. Both 1st squad B team and 2nd squad B team, who were task organized with 3 Iraqi Soldiers, each were pinned down on the roof by enemy gun fire from all directions. SGT (b)(6), (b)(7)(C) was telling me not to go any further when I was engaged by enemy gun fire. Both squads were on the roof I told them not to move around and mark their locations with smoke so I could tell where the gun fire was coming from. I linked up with 1LT (b)(6), (b)(7)(C) and moved to help 2nd platoon clear houses to the northeast, in support by the tanks from the battalion heavy QRF (Quick Reactionary Force). After securing the body I left to return to our main base. By that time the whole company along with our dog handler was on station. I'm not sure but I think C Company 1-9 Infantry helped in the clearance to the south. We reconsolidated our platoon and returned to our outpost. The next day we were relieved and given two days or about down time. Then we picked up light QRF for about 5 days or so. PFC SUN's sniper was killed or wounded severely by C Company 2-3 weeks later. We knew this because we found a camera with tape of a live recording of SUN's death.

I have never heard of anything like this happening. SGT ECKER confided in me. He never told me anything like this. We (b)(6), (b)(7)(C)

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

Page 1 of 3

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

EXHIBIT 13

STATEMENT OF SFC (b)(6), (b)(7)(C) TAKEN AT Fort Carson CID
Office, DATED 28 Jul 09, CONTINUED:

(b)(6), (b)(7)(C) remained friends even after he got out of the Army. We were really close. We talked even after he went back to Massachusetts and nothing like this ever came up.

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

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

Q: How would you describe SGT ECKER?

A: He was honest, loving and caring Soldier of his friends and Soldiers. He was always so happy. Even after he was injured, he was always happy. He had a lot of perseverance and he was very inspiring. He led the Army Values as a Soldier and as a veteran.

Q: When did you meet SGT ECKER?

A: Feb 2006; he came to my platoon around May or June 2006.

Q: Did you have any issues with SGT ECKER?

A: None. He was never disrespectful.

Q: Did PFC SUN deploy with SGT ECKER during the 2004-2005 deployment?

A: No, he was a brand new Soldier. He came to us in Aug 2006. The 2006-2007 deployment was PFC SUN's first deployment.

Q: How did SGT ECKER and PFC SUN know each other?

A: They lived together when we were deployed. They were in the same team and squad. SGT ECKER was a SPC at the time. He was promoted to CPL and became PFC SUN's team leader.

Q: Do you know of anyone that deployed during the 2004-2005 deployment with SGT ECKER?

A: Yes, SGT (b)(6), (b)(7)(C) Last time I tracked he was at Fort Sam Houston, Texas.

Q: Who is 1LT (b)(6), (b)(7)(C)

A: He is now CPT (b)(6), (b)(7)(C) Last I heard he was deployed to Afghanistan.

Q: Who is SGT (b)(6), (b)(7)(C)

A: He was the team leader for 1st squad. He is currently deployed with 1-12 INF.

Q: Do you have anything else to add to this statement? (b)(6), (b)(7)(C)

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

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

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

Page 2 of 3

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

FOR OFFICIAL USE ONLY
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STATEMENT OF SFC [REDACTED] TAKEN AT Fort Carson CID
Office, DATED 28 Jul 09, CONTINUED:

AFFIDAVIT

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

[REDACTED]
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 28th day of July 2009 at Fort Carson CID
Office, Fort Carson, CO 80913.

[REDACTED]
b(6), b(7)(C)

(Signature of Person Administering Oath)

SA [REDACTED]
b(6), b(7)(C)

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

INITIALS [REDACTED]
b(6), b(7)(C)

Page 3 of 3

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

EXHIBIT 13

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0076-09-CID081-61559

PAGE 1 OF 1 PAGE

DETAILS

About 1530, 12 Aug 09, SA (b)(6), (b)(7)(C) interviewed Ms (b)(6), (b)(7)(C) who stated she and SGT ECKER initiated divorce proceedings in May 09; however, at the time of his death, they were still legally married. Ms (b)(6), (b)(7)(C) stated SGT ECKER did not provide details concerning violence in Iraq, but he did mention the death of PFC MING SUN. Ms (b)(6), (b)(7)(C) stated SGT ECKER did not express the details of PFC MING SUN's death. Ms (b)(6), (b)(7)(C) further stated when SGT ECKER left the military; he used some of the money he received from his disability settlement as a down payment on a home. They then moved back to MA and rented 54 Maple St, Chicopee, MA from SGT ECKER's parents. Ms (b)(6), (b)(7)(C) further stated Homes for Our Troops contacted SGT ECKER and offered him a home. Ms (b)(6), (b)(7)(C) was then asked about Mr (b)(6), (b)(7)(C) which she quickly responded that "he was a psycho" and continually attempted to discredit SGT ECKER's family because of a dispute concerning the will of SGT ECKER's deceased grandmother.

About 1630, 12 Aug 09, SA (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) and discussed findings concerning this investigation. Mr (b)(6), (b)(7)(C) was afforded the opportunity to recant his statement but declined and stated all his family members were "liars".

About 1500, 3 Sep 09, SA (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) (Brother of SGT ECKER) (b)(6), (b)(7)(C) who related SGT ECKER did not talk to him about killing innocent civilians while on either of his deployments to Iraq. Mr (b)(6), (b)(7)(C) further stated he did not believe his brother could do the things he was accused of.

About 0945, 10 Sep 09, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Trial Counsel, Office of the Staff Judge Advocate, US Military Academy, West Point, NY 10996 who opined probable cause did not exist to believe SGT ECKER committed the offense of Murder. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

West Point CID Office
616 Swift Road
West Point, NY 10996

SIGNATURE

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

DATE

10 Sep 09

EXHIBIT

15