

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

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U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

UNITED STATES OF AMERICA

Plaintiff

vs.

ABDIRAHMAN SHEIK MOHAMUD,
a/k/a "Ayanle,"

Defendant.

NO.

JUDGE

2 : 15 cr 95

Judge Graham

18 U.S.C. § 2339A – Providing Material
Support to Terrorists (Count 1)

18 U.S.C. § 2339B – Providing Material
Support to a Designated Foreign Terrorist
Organization (Count 2)

18 U.S.C. § 1001(a)(2) – False Statement
Involving International Terrorism (Count 3)

INDICTMENT

THE GRAND JURY CHARGES:

BACKGROUND

1. ABDIRAHMAN SHEIK MOHAMUD, a/k/a "Ayanle" (MOHAMUD), the defendant, resides in Columbus, Ohio.
2. Abdifatah Aden (Aden) is the brother of MOHAMUD, and resided in Columbus, Ohio until he departed the United States in May 2013. Beginning in August 2013, Aden fought for Al-Nusrah Front, a designated foreign terrorist organization, in Syria until on or about June 3, 2014, when he was killed in battle.
3. Beginning in at least September 2013, up to and including April 19, 2014, the defendant, MOHAMUD, while in the United States, exchanged private online communications with his

brother, Aden, in which the two discussed MOHAMUD's plans to also travel to Syria and engage in fighting there. During the course of these discussions, the following private online communications, among others, were exchanged:

- a. On or about September 3, 2013, MOHAMUD called Aden and Aden's companions "Al Mujahideen"¹ and said he was "proud" of Aden. MOHAMUD further told Aden to "be a simple soldier" and stated that shooting a rifle brings one "closer to Jannah."² MOHAMUD also expressed to Aden his desire to "join you in the high ranks as a Mujahid."
- b. On or about January 28, 2014, Aden stated that he was planning to stay in a small town called Homs.³ MOHAMUD asked whether he should go straight to Aden's location or stop through Kenya first. Aden replied that MOHAMUD should come straight to Aden's location.
- c. On or about February 20, 2014, Aden and MOHAMUD discussed MOHAMUD's travel. Aden asked how MOHAMUD's papers are coming along. MOHAMUD responded that he has obtained citizenship and is now seeking a passport. Aden asked when MOHAMUD will come, and MOHAMUD responded that it would be roughly a month.
4. On or about February 18, 2014, MOHAMUD became a naturalized U.S. citizen. On or about February 25, 2014, MOHAMUD submitted his U.S. passport application.

¹ As used in this Indictment, the term "mujahid" and "mujahideen" refers to fighters engaged in violent jihad; that is, acts of physical violence, including murder and maiming.

² As used in this Indictment, the term "Jannah" refers to the Arabic word for "paradise" or "heaven."

³ Homs is a city in the country of Syria.

5. Prior to his travel to Syria, MOHAMUD engaged in conversations with Unnamed Person #1 in which he described the purpose of his travel to Syria. Unnamed Person #1 has been a peer and associate of MOHAMUD for approximately three years and resides in the United States.

MOHAMUD made the following statements, among others, to Unnamed Person #1 prior to traveling to Syria in or around April 2014:

- a. MOHAMUD stated to Unnamed Person #1 that Aden had gone to Syria to go to war. MOHAMUD was happy for Aden and said he was going to join Aden soon. MOHAMUD talked about engaging in violent acts, such as joining a group overseas and killing any United States allies on the battlefield.
- b. MOHAMUD told Unnamed Person #1 that he would go to Istanbul, get a visa there, take cars to get to the border, and then “they” would smuggle him into Syria. MOHAMUD informed Unnamed Person #1 that he planned to meet Aden in Syria, but Aden did not want MOHAMUD to meet him where Aden was currently located because Aden said that city was too calm. Aden wanted MOHAMUD to go somewhere where there was more fighting when MOHAMUD came to Syria.
- c. MOHAMUD told Unnamed Person #1 that he wanted to get an iPad (a tablet-style computer) or other similar device that he could sell once he arrived in Turkey to get money. The money was for MOHAMUD’s brother Aden but if Aden did not want or need it, he (MOHAMUD) would use it to get a gun, a wife, or training.
- d. During conversations with Unnamed Person #1, MOHAMUD compared different extremist groups within Syria to see which was better or more effective. MOHAMUD talked about which groups could teach Arabic and which groups could fight better.

6. In or around February 2014, MOHAMUD and Aden exchanged private online communications in which they discussed ways for MOHAMUD to send money to Aden. On or about February 1, 2014, MOHAMUD asked Aden “let me know how I can send u money plzzzzz.” On or about February 20, 2014, Aden instructed MOHAMUD to call a named individual who had promised \$1,000 to Aden and collect the money. On or about February 26, 2014, MOHAMUD and Aden discussed the possibility of sending the money MOHAMUD had collected through an unidentified third party. On or about March 19, 2014, MOHAMUD stated that he wanted to send the money, and Aden replied that a bank account would “get ur [sic] hands dirty.” On or about April 6, 2014, Aden and MOHAMUD discuss the possibility of sending money through MoneyGram, an international money service business.
7. On or about April 8, 2014, MOHAMUD purchased a one-way ticket to Athens, Greece, with a connecting stop in Istanbul, Turkey. On or about April 18, 2014, MOHAMUD departed the United States. On or about April 19, 2014, MOHAMUD arrived in Istanbul, Turkey, and never boarded his connecting flight to Athens, Greece.
8. On or about April 19, 2014, after MOHAMUD arrived in Istanbul, Turkey, Aden and MOHAMUD exchanged private online communications about MOHAMUD’s travel. MOHAMUD provided Aden with the name of the hotel where he was staying in Istanbul, and sent to Aden a photograph of the hotel’s business card which included the address of the hotel. Aden provided MOHAMUD with a phone number and instructed MOHAMUD to call an individual named Nedal. Aden further instructed MOHAMUD to travel to Reyhanli, Turkey the next day. MOHAMUD responded by communicating his understanding that Nedal would pick him up the next day.

9. Reyhanli, Turkey, is a city located on the border between Turkey and Syria.

10. In or around mid-April 2014, an individual with the first name Nidal exchanged private online communications with another individual with the first name Adnan about transporting MOHAMUD to Reyhanli, Turkey. The communications included the following, among others:
 - a. On or about April 19, 2014, Adnan instructed Nidal to pick up an individual named “Abd-al-Rahman” from the same hotel in Istanbul where MOHAMUD told Aden he was staying. Adnan stated that he (Adnan) had a bus reservation for MOHAMUD “to al-Rihaniya.”

 - b. On or about April 20, 2014, Nidal informed Adnan that “Abdulrahman is with me” and that the two were on their way to Antioch. Antioch is a city in southern Turkey approximately 27 miles from Reyhanli.

 - c. On or about April 25, 2014, Nidal informed Adnan that “this guy” had entrusted Nidal with \$1,000 for “his brother, Abd-al-Fattah.” Adnan responded that he would assist with the transfer of money and asked “who is the guy with now?” Nidal responded “the Front.” “Nusra.”⁴ Adnan stated “Good, may God facilitate his path.” Nidal responded “Amen, oh God. He wanted to go to ISIS.”⁵

⁴ “Al-Nusrah Front” also known as “Jabhat al-Nusrah” is the name of an organization that has been designated by the United States Department of State as a Foreign Terrorist Organization, under section 219 of the Immigration and Nationality Act. At all times relevant to this Indictment, Al-Nusrah Front was designated as an Foreign Terrorist Organization.

⁵ The Islamic State of Iraq and the Levant (“ISIL”) is the name of an organization that has been designated by the United States Department of State as a Foreign Terrorist Organization, under section 219 of the Immigration and Nationality Act. Another name for this organization is the Islamic State of Iraq and Syria (“ISIS”).

11. Prior to his travel to Syria in or around April 2014, MOHAMUD made multiple postings to his Facebook page that included the following, among others:

- a. On or about March 6, 2013, MOHAMUD posted the following text on his Facebook page: “The Sahaba were knights by day and monks at night how will we ever reach there [sic] height while we are in a devastating fright. So oh Syria fight! We will never lose to these pagen alawyits.”
- b. On or about March 10, 2013, MOHAMUD changed his cover photo to an image described as a silhouette of a line of armed fighters with a man in the middle holding what appeared to be the Black Flag used by the Islamic State of Iraq and the Levant (“ISIL”) and other terrorist organizations to symbolize offensive war for the establishment of a Caliphate.
- c. On or about December 17, 2013, MOHAMUD uploaded a photo to his Facebook page described as follows: an artist rendering of a soldier holding a Barrett .50 caliber sniper rifle with bipod and scope, what appears to be the ISIL emblem in the bottom right-hand corner, and text across the top of the image that states “Among the believers are men who have been true to their covenant with Allah.”

12. After MOHAMUD departed the United States, he sent photographs and videos of himself to Unnamed Person #1.

- a. MOHAMUD sent photographs of landmarks and a video of himself to Unnamed Person #1 while he was in Turkey. Unnamed Person #1 recognized the locations in the

photographs as being in Turkey, and MOHAMUD also stated to Unnamed Person #1 that he was in Turkey.

- b. MOHAMUD sent videos of himself to Unnamed Person #1 while he was in Syria. In one video, MOHAMUD stated that he was in Syria and pointed to a gun in a holster on his hip. In a second video, MOHAMUD stood in front of a white house with a black flag on it, and stated that this was the house where he was staying.

13. After MOHAMUD departed the United States, he sent a video of himself to Unnamed Person #2, who is a peer and associate of MOHAMUD and resides in the United States. In the video that he sent to Unnamed Person #2, MOHAMUD wore what was described as a turban and was in an area where it was sandy outside. In the video, MOHAMUD carried an AK-47 and commented that he had his AK with him.

14. On or about June 4, 2014, an image was posted to Aden's Facebook page, showing two photos of Aden, one in which Aden reads a book, and another in which Aden appears to be deceased and has a bandage on his head. Text accompanying the image refers to Aden as "Abu Hasan" and indicates that Aden had been killed while fighting in Syria.

15. On or about June 8, 2014, MOHAMUD returned to the United States.

16. After he returned to the United States, MOHAMUD made the following statements, among others, to Unnamed Person #1 about his travel:

- a. MOHAMUD stated that he had traveled to Syria, and had received training from a group in various areas, including shooting weapons, breaking into houses, explosives, and hand-to-hand combat.

- b. After MOHAMUD completed his training in Syria, and when he was about to begin fighting for an organization in Syria, a cleric in the organization told MOHAMUD that he should return to the United States and carry out an act of terrorism.
- c. MOHAMUD wanted to kill Americans, and specifically wanted to target armed forces, police officers, or any uniformed individuals. MOHAMUD's plan was to attack a military facility, and his backup plan was to attack a prison.
- d. MOHAMUD informed Unnamed Person #1 that MOHAMUD's brother Aden had died. MOHAMUD was happy about Aden's death, and stated that MOHAMUD was next and would join Aden soon.

17. After he returned to the United States, MOHAMUD made the following statements to Unnamed Person #2 about his travel:

- a. MOHAMUD stated that he had traveled to Syria and had attended a military-type training camp. At the camp, MOHAMUD engaged in physical fitness training and guarded the camp on night watch.
- b. MOHAMUD talked about doing something big in the United States. He wanted to go to a military base in Texas and kill three or four American soldiers execution style. Unnamed Person #2 believed MOHAMUD was trying to recruit Unnamed Person #2 to participate in such a plot.

STATUTORY ALLEGATIONS

COUNT ONE

18 U.S.C. § 2339A

(Providing Material Support to Terrorists)

18. Paragraphs 1 through 17 of this Indictment are realleged and incorporated herein by reference.

19. Beginning on or about September 1, 2013 and continuing through and including February 28, 2015, in the Southern District of Ohio, and elsewhere, the defendant,

ABDIRAHMAN SHEIK MOHAMUD

knowingly attempted to provide, and provided, material support and resources, as that term is defined in 18 U.S.C. § 2339A(b)(1), including property, currency, services, and personnel, including himself, knowing or intending that such material support and resources were to be used in preparation for, or in carrying out, a violation of 18 U.S.C. § 956, conspiracy to kill, kidnap, maim, or injure individuals outside of the United States.

In violation of 18 U.S.C. § 2339A.

COUNT TWO
18 U.S.C. § 2339B

(Providing Material Support to a Designated Foreign Terrorist Organization)

20. Paragraphs 1 through 19 of this Indictment are realleged and incorporated herein by reference.

21. Beginning on or about September 1, 2013 and continuing through and including February 28, 2015, in the Southern District of Ohio and elsewhere, the defendant,

ABDIRAHMAN SHEIK MOHAMUD

knowingly attempted to provide, and provided, material support and resources, as that term is defined in 18 U.S.C. § 2339A(b)(1), including property, currency, services, and personnel, including himself, to a designated foreign terrorist organization, namely Jabhat al-Nusrah, knowing that the organization was a designated foreign terrorist organization, and that the organization has engaged in and was engaging in terrorist activity and terrorism. .

In violation of 18 U.S.C. § 2339B.

COUNT THREE

18 U.S.C. § 1001(a)(2)

(False Statement Involving International Terrorism)

22. Paragraphs 1 through 21 of this Indictment are realleged and incorporated herein by reference.

23. On or about February 3, 2015, in the Southern District of Ohio, the defendant,

ABDIRAHMAN SHEIK MOHAMUD

did willfully, with knowledge that his conduct was unlawful, make and caused to be made a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States by stating to a Special Agent of the Federal Bureau of Investigation in the Southern District of Ohio, that during an overseas trip from April to June 2014, MOHAMUD did not leave the city of Istanbul, Turkey. The statement and representation was false because, as MOHAMUD then and there knew, on or about April through and including June 2014, MOHAMUD was located in the country of Syria. Such statements and representations were made during an investigation involving international terrorism.

In violation of 18 U.S.C. § 1001(a)(2).

A TRUE BILL.

s/foreperson
FOREPERSON

CARTER M. STEWART
United States Attorney



GARY L. SPARTIS

Columbus Branch Chief