

1 MICHAEL BAILEY
2 United States Attorney
3 District of Arizona

4 TODD M. ALLISON
5 Arizona State Bar No. 026936
6 DAVID A. PIMSNER
7 Arizona State Bar No. 007480
8 Assistant United States Attorneys
9 Two Renaissance Square
10 40 N. Central Ave., Suite 1800
11 Phoenix, Arizona 85004
12 Telephone: 602-514-7500
13 Email: Todd.Allison@usdoj.gov
14 Email: David.Pimsner@usdoj.gov
15 Attorneys for Plaintiff

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF ARIZONA

13 In the Matter of the Extradition of Ali
14 Yousif Ahmed Al-Nouri a/k/a Ali Youssef
15 Ahmed Al-Nouri, Ali Ahmed, Ali Yousif
16 Ahmed Al Noori, Ali Yousif Ahmed
17 Nouri, Ali Al-Daleme, Ali Yousif Ahmed
18 Al-Mahmadi, Ali Yousif Ahmed, and Ali
19 Yousif Nouri.

Case No.

20-8033MS

COMPLAINT PURSUANT TO
18 U.S.C. § 3184

SEALED

(Under Seal)

19 I, Todd M. Allison, the undersigned Assistant United States Attorney, being duly
20 sworn, state on information and belief that the following is true and correct:

21 1. In this matter, I represent the United States in fulfilling its treaty obligations
22 to the Republic of Iraq.

23 2. There is an extradition treaty in force between the United States and Iraq,
24 Extradition Treaty Between the United States of America and Iraq, U.S.-Iraq, June 7, 1934,
25 49 Stat. 3380 (hereafter, the "Treaty").

26 3. Pursuant to the Treaty, the Government of Iraq has submitted a formal
27 request through diplomatic channels for the extradition of Ali Yousif Ahmed Al-Nouri
28 a/k/a Ali Youssef Ahmed Al-Nouri, Ali Ahmed, Ali Yousif Ahmed Al Noori, Ali Yousif

1 Ahmed Nouri, Ali Al-Daleme, Ali Yousif Ahmed Al-Mahmadi, Ali Yousif Ahmed, and
2 Ali Yousif Nouri (hereafter, "Ahmed").

3 4. According to the information provided by the Government of Iraq, Ahmed
4 has been charged with two counts of premeditated murder in violation of Article 406(1)(A)
5 of the Iraqi Penal Code No. 111 for the year 1969 Amended. *See* Exhibits A and B, at
6 pages Bates labeled EX-NOURI-00018 through EX-NOURI-00026, and EX-NOURI-
7 00048 through EX-NOURI-00052.

8 5. Ahmed is accused of committing these offenses within the jurisdiction of
9 Iraq. Judge Jabbar Hussein of the Magistrate Court of Al-Karkh in Iraq issued a warrant
10 for Ahmed's arrest on May 12, 2019. *See* Exhibits A and B, at pages Bates labeled EX-
11 NOURI-00048 through EX-NOURI-00052.

12 6. From my review of the documents provided with the extradition request,
13 Iraq's arrest warrant was issued on the basis of the following facts:

14 a. Ahmed served as the leader/Emir of a group of Al-Qaeda terrorists in
15 Fallujah, Iraq. In 2006, the group planned and successfully executed two separate
16 operations to kill Iraqi police officers: the first, to kill Issam Ahmed Hussein
17 (hereafter, "Issam"), a First Lieutenant in the Fallujah Police Directorate, and the
18 second, to kill Khalid Ibrahim Mohammad (hereafter, "Khalid"), a police officer in
19 the Fallujah Police Directorate.

20 b. On or about June 1, 2006, Issam was sitting with another individual
21 (hereafter, "Eyewitness 1"), near a store on Street 40 in Al-Fallujah when two cars
22 with masked and armed individuals pulled up. Six men got out of the cars and
23 approached Issam and Eyewitness 1. One of the men held a gun to Eyewitness 1's
24 head and told him/her not to move. Another of the men started to shoot at Issam,
25 but his handgun malfunctioned. According to Eyewitness 1, Ahmed, who was not
26 wearing a mask at that time, approached, pulled out a gun, and said, "leave him, this
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1 is 1st Lieutenant Issam and he serves as a policeman.” One of the other masked
2 men told Ahmed to step back,¹ and another man shot Issam multiple times with an
3 AK-47, killing him. Ahmed and the other armed men fled from the scene.
4 Eyewitness 1 identified Ahmed as the Emir of the group of armed, masked men that
5 conducted the shooting. *See* Exhibits A and B, at pages Bates labeled EX-NOURI-
6 00087, EX-NOURI-00101 through EX-NOURI-00105.

7 c. On or about October 3, 2006, Khalid was sitting outside a store on
8 Street 40 in Fallujah with two other people when Ahmed and other individuals,
9 whom were wearing masks and carrying various weapons, drove up in a car and
10 began shooting at Khalid. Ahmed and the other men shot and killed Khalid, as well
11 as the other two individuals with whom Khalid had been sitting, and then fled the
12 scene.

13 d. A local resident (hereafter, “Eyewitness 2”) was an eyewitness to
14 Khalid’s murder. Eyewitness 2 lived near Ahmed and identified Ahmed as a local
15 carpenter in Fallujah who was known for conducting assassination operations on
16 members of the police force. Eyewitness 2 was sitting across the street from Khalid
17 at the time of the murder. Eyewitness 2 witnessed a group of armed men pull up in
18 a vehicle and start to open fire at Khalid. Eyewitness 2 recognized Ahmed among
19 the assailants and later identified Ahmed in a multi-photograph line-up. During the
20 murder, Eyewitness 2 saw Ahmed get out of the car and shoot Khalid. *See* Exhibits
21 A and B, at pages Bates labeled EX-NOURI-00072, EX-NOURI-00075.
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25 ¹ The documents submitted with the extradition request contain two translated
26 reports of Eyewitness 1’s testimony. In one of the reports, Eyewitness 1 testified that the
27 masked man responded to Ahmed by stating, “[S]tep back and don’t interfere with this
28 matter.” *See* Exhibit A and B, at page Bates labeled EX-NOURI-00104. The other report
includes Eyewitness 1’s testimony that the masked man responded to Ahmed by stating,
“Ali step back, it is not your business.” *See* Exhibit A and B, at page Bates labeled EX-
NOURI-00105.

1 e. Another local resident (hereafter, "Eyewitness 3") was standing near
2 the location where the shooting took place and was an eyewitness to Khalid's
3 murder. Eyewitness 3 knew Ahmed and recognized him during the shooting when
4 Ahmed's mask fell off. According to Eyewitness 3, Ahmed was one of the
5 individuals who fired shots at Khalid. *See* Exhibits A and B, at pages Bates labeled
6 EX-NOURI-00072, EX-NOURI-00074

7 f. Subsequently in 2006, one of the members of Ahmed's group
8 (hereafter, "Cooperator 1") was captured by coalition forces and turned over to the
9 Iraqi police. Cooperator 1 admitted to being part of an Al-Qaeda group, of which
10 Ahmed was the leader/Emir. Cooperator 1 confessed to working with Ahmed and
11 other members of the group to kill police officers. *See* Exhibits A and B, at pages
12 Bates labeled EX-NOURI-00072 through EX-NOURI-00073, EX-NOURI-00077
13 through EX-NOURI-00081, EX-NOURI-00084 through EX-NOURI-00085, EX-
14 NOURI-00106 through EX-NOURI-00110.

15 g. Cooperator 1 admitted to being involved in planning the operation to
16 kill Khalid. Cooperator 1 and the rest of the group conducted surveillance of Khalid
17 prior to the shooting. Cooperator 1 was present on the day of Khalid's murder and
18 served a supporting role in that operation by driving one of the cars involved and
19 was present where the shooting occurred. Cooperator 1 testified that Ahmed took
20 part in the operation. *See* Exhibits A and B, at pages Bates labeled EX-NOURI-
21 00072 through EX-NOURI-00073, EX-NOURI-00077 through EX-NOURI-00081,
22 EX-NOURI-00084 through EX-NOURI-00085, EX-NOURI-00106 through EX-
23 NOURI-00110.

24 h. Cooperator 1 also told the police that he/she was present when Ahmed
25 and other members of the group planned to kill Issam. Cooperator 1 said that he/she
26 went to the murder location in a separate vehicle to conduct surveillance, but did
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1 not get out and participate in the shooting. Later, Ahmed reported to Cooperator 1
2 that Ahmed had executed the operation to kill Issam with Ahmed's 9mm handgun.
3 See Exhibits A and B, at pages Bates labeled EX-NOURI-00072 through EX-
4 NOURI-00073, EX-NOURI-00077 through EX-NOURI-00081, EX-NOURI-
5 00084 through EX-NOURI-00085, EX-NOURI-00106 through EX-NOURI-00110.

6 7. Ahmed may be found within the jurisdiction of this Court at 16512 West
7 Quail Run Road, Surprise, Arizona 85387.

8 8. Tom Heinemann, an attorney in the Office of the Legal Adviser of the United
9 States Department of State, has provided the United States Department of Justice with a
10 declaration authenticating a copy of the diplomatic note by which the request for
11 extradition was made and a copy of the Treaty, stating that the offense for which extradition
12 is sought is provided for by the Treaty, and confirming that the documents supporting the
13 request for extradition are properly certified by the principal United States diplomatic or
14 consular officer in Iraq, in accordance with 18 U.S.C. § 3190, so as to enable them to be
15 received into evidence. See Exhibits A and B, pages Bates labeled EX-NOURI-00001
16 through EX-NOURI-00013.

17 9. The declaration from the United States Department of State with its
18 attachments, including a copy of the diplomatic note from Iraq, a copy of the Treaty, and
19 the certified documents submitted in support of the extradition request, (marked
20 collectively as United States' Exhibit A) are filed with this Complaint under seal and
21 incorporated by reference herein. The United States seeks to maintain Exhibit A under
22 seal, as the documents identify names, addresses, and personal identifiers of the victims'
23 relatives, eyewitnesses who reside in Iraq, and a cooperating defendant. The United States
24 submits as Exhibit B to this Complaint a redacted version of the declaration from the United
25 States Department of State with its attachments, including a copy of the diplomatic note
26 from Iraq, a copy of the Treaty, and the certified documents submitted in support of the
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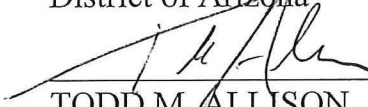
extradition request, which are contemplated to be filed on the public docket upon the unsealing of the arrest warrant and Complaint.

10. Ahmed would be likely to flee if he learned of the existence of a warrant for his arrest. Accordingly, the United States requests that this Complaint and any resulting Arrest Warrant remain sealed until such time as the warrant is executed.

WHEREFORE, the undersigned requests that a warrant for the arrest of Ali Youssef Ahmed Al-Nouri be issued in accordance with 18 U.S.C. § 3184 and the extradition treaty between the United States and Iraq, so that the fugitive may be arrested and brought before this Court to the end that the evidence of criminality may be heard and considered. Furthermore, the United States requests that this Complaint (including Exhibits A and B) and the arrest warrant be placed under seal of the Court. After the United States executes the arrest warrant, the United States will file a motion to unseal the Complaint, arrest warrant, and Exhibit B (the redacted version of the documents provided with the extradition request).

Respectfully submitted this 28th day of January, 2020.

MICHAEL BAILEY
United States Attorney
District of Arizona


TODD M. ALLISON
Assistant United States Attorney

Sworn to me and subscribed in my presence this 29th day of January, 2020, and a warrant shall issue.


THE HONORABLE JOHN Z. BOYLE
United States Magistrate Judge