

Judge threatens to jail lawyer for Va. man accused in friend's bid to join ISIS

By [Matt Zapposky](#)

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As the attorney for a Woodbridge man accused of helping an acquaintance try to join the Islamic State pressed the case in court Wednesday that his client was a victim of anti-Muslim hysteria, he ran into someone who did not want to hear it.

The judge.

At a hearing to determine whether Mahmoud Amin Mohamed Elhassan should be released from prison, lawyer Ashraf Nubani repeatedly referred to the troubles he said Muslims face in the United States. U.S. Magistrate Judge Ivan D. Davis warned Nubani sternly to focus his arguments specifically on his client. At one point, the two men tried to talk over each other.

“Would you like to continue with your argument, or would you like to join your client in lockup?” Davis exploded.

Nubani said he would continue.

That moment was the climax of a lively, hours-long hearing at the federal district courthouse in Alexandria. Elhassan's sister and three other friends testified on behalf of the 25-year-old, and, for a time, it seemed that Davis was entertaining the idea of releasing him with conditions.

He ultimately decided against it, concluding that while Elhassan might not be a danger to the community, he had demonstrated a “complete lack of honesty” and was a risk not to show up at future court hearings.

Elhassan, a citizen of Sudan with a U.S. green card, was charged this month with aiding and abetting what authorities said was a plot to have an acquaintance join the Islamic State. That person, 28-year-old [Joseph Hassan Farrokh](#), intended to fly to Syria, and Elhassan was aware of his plans and drove him to Richmond for the first leg of his journey, authorities have alleged.

From the moment Elhassan appeared in court, Nubani criticized the case as being one that the government manufactured with the help of three informants who controlled the entire plot. In court Wednesday, he used the name of a man he alleged was one of the informants, drawing an objection from Assistant U.S. Attorney Dennis Fitzpatrick, who argued that it should be struck from the court record.

“What Mr. Nubani’s trying to do is intimidate potential government witnesses,” Fitzpatrick said.

Davis ordered the name removed.

Three of Elhassan’s friends and his sister took the witness stand, describing Elhassan, who came to the United States in 2012, as a peaceful man who loved computers and comforted his siblings after their mother died. Manzer Alam, who said he met Elhassan through Alam’s work at mosques in Dumfries and Woodbridge, spoke of Elhassan’s volunteering to teach an Arabic class for children and once fixing a broken cellphone screen for a religious leader and refusing to accept payment.

“I’ve seen him to be a kind person, thinking about other people,” Alam said.

Reem Elhassan, Elhassan’s older sister, said her brother went to a refugee school in Egypt, that in the United States he was an A-student who went to Northern Virginia Community College, and that he worked intermittently as a cab driver and at Starbucks. “He is the best friend I could ever ask for,” she said.

Davis questioned Reem Elhassan about her willingness to be responsible for her brother, should he be freed on bail, and for a time, the judge seemed to consider releasing the defendant pending trial. But Fitzpatrick argued that Mahmoud Elhassan had a history of lying. He alleged that in 2015, after applying unsuccessfully for government medical benefits in Prince William County, Elhassan falsely claimed to have moved to the District and sought \$22,000 in similar benefits there. (Nubani said Elhassan had broken his leg in a car accident during his youth and had other health woes.)

Fitzpatrick also argued that when Elhassan was taken into custody by FBI agents this month, Elhassan lied. Elhassan and Farrokh are next scheduled to appear in court Feb. 1.

 **1 Comment**

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