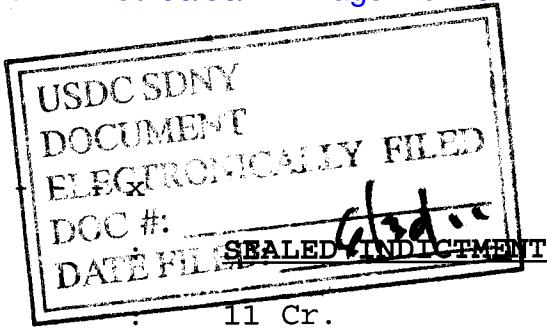


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

- v. -

AHMED ABDULKADIR WARSAME, :
a/k/a "Khattab," :
a/k/a "Farah," :
a/k/a "Abdi Halim Mohammed Fara," :
a/k/a "Fareh Jama Ali Mohammed," :

Defendant.

11 CRIM 559

COUNT ONE

CONSPIRACY TO PROVIDE MATERIAL SUPPORT
TO A FOREIGN TERRORIST ORGANIZATION

The Grand Jury charges:

1. From at least in or about 2007, up to and including in or about April 2011, in an offense occurring in and affecting interstate and foreign commerce and involving an offender who aids, abets, and conspires with a national of the United States, as that term is defined in section 101(a)(22) of the Immigration and Nationality Act, and an alien lawfully admitted for permanent residence in the United States, as that term is defined in section 101(a)(20) of the Immigration and Nationality Act, and begun and committed outside of the jurisdiction of any particular State or district of the United States, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, who will be first brought to and arrested in the Southern District of New York, and others known

and unknown, knowingly did combine, conspire, confederate and agree together and with each other to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), to a foreign terrorist organization, namely, al Shabaab, which was designated by the United States Secretary of State as a foreign terrorist organization on or about February 26, 2008, and is currently designated as such, as of the date of this Indictment, and which conspiracy resulted in the death of at least one person.

2. It was a part and an object of the conspiracy that AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, and others known and unknown, would and did agree to provide al Shabaab with material support and resources, including, among other things, property, services, training, expert advice and assistance, communications equipment, facilities, weapons, lethal substances, explosives, and personnel, and resulting in the death of at least one person, knowing that al Shabaab was a designated terrorist organization (as defined in Title 18, United States Code, Section 2339B(g)(6)), that al Shabaab engages and has engaged in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and that al Shabaab engages and has engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), in violation of Title 18, United States Code, Section 2339B.

Overt Act

3. In furtherance of the conspiracy and to effect the illegal object thereof, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, and others known and unknown, committed the following overt act, among others:

a. In or about 2009, WARSAME fought on behalf of al Shabaab in Somalia.

(Title 18, United States Code, Sections 2339B(a)(1), (d)(1)(C), (E) and (F), and 3238.)

COUNT TWO

MATERIAL SUPPORT
TO A FOREIGN TERRORIST ORGANIZATION

The Grand Jury further charges:

4. From at least in or about 2007, up to and including in or about April 2011, in an offense occurring in and affecting interstate and foreign commerce and involving an offender who aids, abets, and conspires with a national of the United States, as that term is defined in section 101(a)(22) of the Immigration and Nationality Act, and an alien lawfully admitted for permanent residence in the United States, as that term is defined in section 101(a)(20) of the Immigration and Nationality Act, and begun and committed outside of the jurisdiction of any particular State or district of the United States, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, who will be first brought to and

arrested in the Southern District of New York, did knowingly provide and attempt to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), including, among other things, property, services, training, expert advice and assistance, communications equipment, facilities, weapons, lethal substances, explosives, and personnel, and resulting in the death of at least one person, to al Shabaab, which was designated as a foreign terrorist organization on or about February 26, 2008 by the United States Secretary of State, and is currently designated as such as of the date of the filing of this Indictment, knowing that al Shabaab was a designated terrorist organization, that al Shabaab engages and has engaged in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and that al Shabaab engages and has engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), to wit, WARSAME fought on behalf of al Shabaab in Somalia and provided other material support to that organization.

(Title 18, United States Code, Sections 2339B(a)(1), (d)(1)(C), (E), and (F), 3238, and 2.)

COUNT THREE

POSSESSING, CARRYING, AND USING A FIREARM AND DESTRUCTIVE DEVICE

The Grand Jury further charges:

5. From at least in or about 2007, up to and including in or about April 2011, in an offense begun and committed outside of the jurisdiction of any particular State or

district of the United States, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, who will be first brought to and arrested in the Southern District of New York, intentionally and knowingly, did use and carry a firearm during and in relation to crimes of violence for which he may be prosecuted in a court of the United States, namely, the conspiracy to provide material support charged in Count One, and the provision and attempted provision of material support charged in Count Two, and, in furtherance of such crimes, did possess a firearm and destructive device, and did aid and abet the use, carrying, and possession of a firearm and destructive device, to wit, in Somalia, WARSAME possessed, carried, and used an AK-47 semiautomatic assault weapon, machineguns, and destructive devices, aided and abetted others to do likewise, and did work to broker a weapons deal.

(Title 18, United States Code,
Sections 924(c)(1)(A), (B)(i), (B)(ii),
(C)(i), and (C)(ii), 3238, and 2.)

COUNT FOUR

**CONSPIRACY TO PROVIDE MATERIAL SUPPORT
TO A FOREIGN TERRORIST ORGANIZATION**

The Grand Jury further charges:

6. From at least in or about 2009, up to and including in or about April 2011, in an offense occurring in and affecting interstate and foreign commerce and involving an offender who aids, abets, and conspires with a national of the United States, as that term is defined in section 101(a)(22) of

the Immigration and Nationality Act, and begun and committed outside of the jurisdiction of any particular State or district of the United States, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, who will be first brought to and arrested in the Southern District of New York, and others known and unknown, knowingly did combine, conspire, confederate and agree together and with each other to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), to a foreign terrorist organization, namely, al Qaeda in the Arabian Peninsula ("AQAP"), which was designated by the United States Secretary of State as a foreign terrorist organization on or about January 19, 2010, and is currently designated as such, as of the date of this Indictment.

7. It was a part and an object of the conspiracy that AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, and others known and unknown, would and did agree to provide AQAP with material support and resources, including, among other things, property, services, currency and monetary instruments, training, communications equipment, facilities, and personnel, knowing that AQAP was a designated terrorist organization (as defined in Title 18, United States Code, Section 2339B(g)(6)), that AQAP engages and has engaged in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration

and Nationality Act), and that AQAP engages and has engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), in violation of Title 18, United States Code, Section 2339B.

Overt Act

8. In furtherance of the conspiracy and to effect the illegal object thereof, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, and others known and unknown, committed the following overt act, among others:

a. In or about 2010 and 2011, and on behalf of al Shabaab, WARSAME received explosives and other training from AQAP while in Yemen.

(Title 18, United States Code, Sections 2339B(a)(1), (d)(1)(C), (E), and (F), and 3238.)

COUNT FIVE

MATERIAL SUPPORT
TO A FOREIGN TERRORIST ORGANIZATION

The Grand Jury further charges:

9. From at least in or about 2009, up to and including in or about April 2011, in an offense occurring in and affecting interstate and foreign commerce and involving an offender who aids, abets, and conspires with a national of the United States, as that term is defined in section 101(a)(22) of the Immigration and Nationality Act, and begun and committed outside of the jurisdiction of any particular State or district of the United States, AHMED ABDULKADIR WARSAME, a/k/a "Khattab,"

a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, who will be first brought to and arrested in the Southern District of New York, did knowingly provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), including among other things, property, services, currency and monetary instruments, training, communications equipment, facilities, and personnel, to AQAP, which was designated as a foreign terrorist organization on or about January 19, 2010 by the United States Secretary of State, and is currently designated as such as of the date of the filing of this Indictment, knowing that AQAP was a designated terrorist organization, that AQAP engages and has engaged in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and that AQAP engages and has engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), to wit, WARSAME received training from AQAP in Yemen and provided other material support to that organization.

(Title 18, United States Code, Sections 2339B(a)(1),
(d)(1)(C), (E), and (F), 3238, and 2.)

COUNT SIX

POSSESSING, CARRYING, AND USING A FIREARM AND DESTRUCTIVE DEVICE

The Grand Jury further charges:

10. From at least in or about 2009, up to and including in or about April 2011, in an offense begun and committed outside of the jurisdiction of any particular State or district of the United States, AHMED ABDULKADIR WARSAME, a/k/a

"Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, who will be first brought to and arrested in the Southern District of New York, intentionally and knowingly, did use and carry a firearm during and in relation to crimes of violence for which he may be prosecuted in a court of the United States, namely, the conspiracy to provide material support charged in Count Four, and the provision and attempted provision of material support charged in Count Five, and, in furtherance of such crimes, did possess a firearm and destructive device, and did aid and abet the use, carrying, and possession of a firearm and destructive device, to wit, WARSAME possessed, carried, and used an AK-47 semiautomatic assault weapon, machineguns, grenades, and ammunition, in Yemen, and did work to broker a weapons deal.

(Title 18, United States Code,
Sections 924(c)(1)(A), (B)(i), (B)(ii),
(C)(i), and (C)(ii), 3238, and 2.)

COUNT SEVEN

CONSPIRACY TO TEACH AND DEMONSTRATE THE MAKING OF EXPLOSIVES

The Grand Jury further charges:

11. From at least in or about 2009, up to and including in or about April 2011, in an offense begun and committed outside of the jurisdiction of any particular State or district of the United States, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, who will be first brought to and arrested in the Southern District of New York, and

others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to teach and demonstrate the making and use of explosives, destructive devices, and weapons of mass destruction, and to distribute information pertaining to the manufacture and use of explosives, destructive devices, and weapons of mass destruction, in violation of Title 18, United States Code, Section 842(p).

12. It was a part and an object of the conspiracy that AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, and others known and unknown, would and did agree to teach and demonstrate the making and use of explosives, destructive devices, and weapons of mass destruction, and to distribute information pertaining to the manufacture and use of explosives, destructive devices, and weapons of mass destruction, with the intent that the teaching, demonstration, and information be used for, and in furtherance of, activities that constitute Federal crimes of violence, namely, the provision and attempted provision of "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), to al Shabaab and AQAP, and the conspiracies to provide such material support, as charged in Counts One, Two, Four, and Five, above.

Overt Act

13. In furtherance of the conspiracy and to effect the illegal object thereof, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a

"Fareh Jama Ali Mohammed," the defendant, and others known and unknown, committed, among others, the overt acts set forth in Count One (above) and Count Four (above), which are fully incorporated by reference herein.

(Title 18, United States Code, Section 844(n) and 3238.)

COUNT EIGHT

**CONSPIRACY TO RECEIVE MILITARY-TYPE TRAINING
FROM A FOREIGN TERRORIST ORGANIZATION**

The Grand Jury further charges:

14. From at least in or about 2009, up to and including in or about April 2011, in an offense occurring in and affecting interstate and foreign commerce and involving an offender who aids, abets, and conspires with a national of the United States, as that term is defined in section 101(a)(22) of the Immigration and Nationality Act, and begun and committed outside of the jurisdiction of any particular State or district of the United States, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, who will be first brought to and arrested in the Southern District of New York, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to commit offenses against the United States, to wit, to violate Section 2339D of Title 18, United States Code.

15. It was a part and an object of the conspiracy that AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the

defendant, and others known and unknown, would and did agree to receive military-type training from and on behalf of al Shabaab and AQAP, which were designated by the United States Secretary of State as foreign terrorist organizations on or about February 26, 2008, and on or about January 19, 2010, respectively, knowing that both al Shabaab and AQAP were designated terrorist organizations (as defined in Title 18, United States Code, Section 2339B(g)(6)), knowing that al Shabaab and AQAP engage and have engaged in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and knowing that al Shabaab and AQAP engage and have engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), in violation of Title 18, United States Code, Section 2339D.

Overt Acts

16. In furtherance of the conspiracy and to effect the illegal object thereof, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, and others known and unknown, committed, among others, the overt acts set forth in Count One (above) and Count Four (above), which are fully incorporated by reference herein.

(Title 18, United States Code, Sections 371 and 3238.)

COUNT NINE

RECEIPT OF MILITARY-TYPE TRAINING
FROM A FOREIGN TERRORIST ORGANIZATION

The Grand Jury further charges:

17. From at least in or about 2009, up to and including in or about April 2011, in an offense occurring in and affecting interstate and foreign commerce and involving an offender who aids, abets, and conspires with a national of the United States, as that term is defined in section 101(a)(22) of the Immigration and Nationality Act, and begun and committed outside of the jurisdiction of any particular State or district of the United States, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, who will be first brought to and arrested in the Southern District of New York, knowingly did receive military-type training from and on behalf of al Shabaab and AQAP, which were designated by the United States Secretary of State as foreign terrorist organizations on or about February 26, 2008, and on or about January 19, 2010, respectively, knowing that al Shabaab and AQAP were designated terrorist organizations (as defined in Title 18, United States Code, Section 2339D(c)(4)), that al Shabaab and AQAP engage and have engaged in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and that al Shabaab and AQAP engage and have engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), to wit, on behalf of al Shabaab, WARSAME

received explosives and other training from AQAP while in Yemen.

(Title 18, United States Code, Sections 2339D(a), (b) (1), (b) (3), (b) (5), and (b) (6), 3238, and 2.)


FORFEITURE ALLEGATION

18. As a result of planning and perpetrating Federal crimes of terrorism against the United States, as alleged in Counts One, Two, Four, Five, Seven, Eight, and Nine of this Indictment, AHMED ABDULKADIR WARSAME, a/k/a "Khattab," a/k/a "Farah," a/k/a "Abdi Halim Mohammed Fara," a/k/a "Fareh Jama Ali Mohammed," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a) (1) (G) and 2332b(g) (5), and Title 28, United States Code, Section 2461:


- a. all right, title, and interest in all assets, foreign and domestic;
- b. all right, title, and interest in all assets, foreign and domestic, affording a source of influence over al Shabaab and AQAP;
- c. all right, title and interest in all assets, foreign and domestic, acquired and maintained with the intent and for the purpose of supporting, planning, conducting, and concealing a Federal crime of terrorism against the United States, citizens and residents of the United States, and their property; and
- d. all right, title and interest in all assets, foreign and domestic, derived from, involved

in, and used and intended to be used to
commit a Federal crime of terrorism against
the United States, citizens and residents of
the United States, and their property;
including, but not limited to, a sum of money representing the
value of the property described above as being subject to
forfeiture.

(Title 18, United States Code, Section 981(a)(1)(G) and
2332b(g)(5) and Title 28, United States Code, Section 2461.)



FOREPERSON



PREET BHARARA (PF)
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

AHMED ABDULKADIR WARSAME,
a/k/a "Khattab,"
a/k/a "Farah,"
a/k/a "Abdi Halim Mohammed Fara,"
a/k/a "Fareh Jama Ali Mohammed,"

Defendant.

SEALED INDICTMENT

11 Cr.

(Title 18, United States Code, Sections
2339B, 924(c), 371, 844, 981, 3238 & 2;
and Title 28, United States Code, Section
2461(c).)

PREET BHARARA

United States Attorney.

A TRUE BILL


Foreperson.
