

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CRIMINAL NO. 09-50 (JMR/SRN)



UNITED STATES OF AMERICA,

Plaintiff,

v.

- 3. AHMED ALI OMAR,
a/k/a Mustafa,
- 4. KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah,
- 5. ZAKARIA MARUF,
a/k/a Abu Muslim,
- 6. MOHAMED ABDULLAHI HASSAN,
a/k/a Miski,
- 7. MUSTAFA ALI SALAT,
- 8. ABDIWELI YASSIN ISSE,
a/k/a Farhan,
a/k/a Walaalo,
- 9. CABDULAAHI AHMED FAARAX,
a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,
- 10. FARAH MOHAMED BELEDI,
a/k/a Bloody,
a/k/a Asadullah,
a/k/a Ghetto,
- 11. ABDISALAN HUSSEIN ALI,
a/k/a Bullethead,
a/k/a Uhud, and
- 12. ABDIKADIR ALI ABDI,
a/k/a Omar,

Defendants.

THIRD
SUPERSEDING INDICTMENT

- (18 U.S.C. § 2)
- (18 U.S.C. § 373)
- (18 U.S.C. § 924(c))
- (18 U.S.C. § 956(a)(1))
- (18 U.S.C. § 1001(a)(2))
- (18 U.S.C. § 1544)
- (18 U.S.C. § 2339A(a))
- (18 U.S.C. § 2339B)

SCANNED
AUG 05 2010
U.S. DISTRICT COURT ST. PAUL

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JUL 20 2010
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JUDGMENT ENTERED
DEPUTY CLERK'S OFFICE

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THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Conspiracy to Provide Material Support to Terrorists)

1. From in or about September 2007 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah,
ZAKARIA MARUF,
a/k/a Abu Muslim,
MOHAMED ABDULLAHI HASSAN,
a/k/a Miski,
MUSTAFA ALI SALAT,
ABDIWELI YASSIN ISSE,
a/k/a Farhan,
a/k/a Walaalo,
CABDULAAHI AHMED FAARAX,
a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,
FARAH MOHAMED BELEDI,
a/k/a Bloody,
a/k/a Asadullah,
a/k/a Ghetto,
ABDISALAN HUSSEIN ALI,
a/k/a Bullethead,
a/k/a Uhud, and
ABDIKADIR ALI ABDI,
a/k/a Omar,

did knowingly and intentionally conspire with each other and others, known and unknown to the grand jury, to provide material support and resources, namely financial support and personnel including themselves and others, knowing and intending that the material support and resources were to be used in preparation for

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and in carrying out a violation of Title 18, United States Code, Section 956(a)(1) (conspiracy to kill, kidnap, maim or injure persons in a foreign country), all in violation of Title 18, United States Code, Section 2339A(a).

COUNT 2

(Providing Material Support to Terrorists)

2. From in or about September 2007 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah,
ZAKARIA MARUF,
a/k/a Abu Muslim,
MOHAMED ABDULLAHI HASSAN,
a/k/a Miski,
MUSTAFA ALI SALAT,
ABDIWELI YASSIN ISSE,
a/k/a Farhan,
a/k/a Walaalo,
CABDULAAHI AHMED FAARAX,
a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,
FARAH MOHAMED BELEDI,
a/k/a Bloody,
a/k/a Asadullah,
a/k/a Ghetto,
ABDISALAN HUSSEIN ALI,
a/k/a Bullethead,
ak/a Uhud, and
ABDIKADIR ALI ABDI,
a/k/a Omar,

each aiding and abetting and being aided and abetted by the other, did provide and attempt to provide material support and resources, namely financial support and personnel including themselves and

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others, knowing and intending that the material support and resources were to be used in preparation for and in carrying out a violation of Title 18, United States Code, Section 956(a)(1) (conspiracy to kill, kidnap, maim or injure persons in a foreign country), all in violation of Title 18, United States Code, Sections 2339A(a) and 2.

COUNT 3

(Conspiracy to Provide Material
Support to a Foreign Terrorist Organization)

3. On or about September 28, 2000, the defendant **AHMED ALI OMAR**, a/k/a Mustafa, was granted status as a lawful permanent resident of the United States.

4. On or about February 8, 1995, the defendant **ZAKARIA MARUF**, a/k/a Abu Muslim, was granted status as a lawful permanent resident of the United States.

5. On or about May 16, 2005, the defendant **MOHAMED ABDULLAHI HASSAN**, a/k/a Miski, was granted status as a lawful permanent resident of the United States.

6. On or about August 11, 2005, the defendant **MUSTAFA ALI SALAT**, was granted status as a lawful permanent resident of the United States.

7. On or about February 26, 2008, the Secretary of State of the United States designated al-Shabaab as a foreign terrorist organization.

8. On or about March 18, 2008, the designation of al-Shabaab

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as a foreign terrorist organization was published in the Federal Register.

9. From on or about March 18, 2008 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah,
ZAKARIA MARUF,
a/k/a Abu Muslim,
MOHAMED ABDULLAHI HASSAN,
a/k/a Miski,
MUSTAFA ALI SALAT,
ABDIWELI YASSIN ISSE,
a/k/a Farhan,
a/k/a Walaalo,
CABDULAAHI AHMED FAARAX,
a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,
FARAH MOHAMED BELEDI,
a/k/a Bloody,
a/k/a Asadullah,
a/k/a Ghetto,
ABDISALAN HUSSEIN ALI,
a/k/a Bullethead,
a/k/a Uhud, and
ABDIKADIR ALI ABDI,
a/k/a Omar,

did, in and affecting interstate and foreign commerce, knowingly and intentionally conspire with each other and others, known and unknown to the grand jury, to provide material support and resources, namely financial support and personnel including themselves and others, to a foreign terrorist organization, namely al-Shabaab, knowing that al-Shabaab has engaged and engages in

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terrorist activity and terrorism, in violation of Title 18, United States Code, Section 2339B(a) (1).

COUNT 4

(Providing Material Support to a Foreign Terrorist Organization)

10. The allegations of paragraphs three through eight of this Third Superseding Indictment are re-alleged and incorporated as if set forth in full herein.

11. From on or about March 18, 2008 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah,
ZAKARIA MARUF,
a/k/a Abu Muslim,
MOHAMED ABDULLAHI HASSAN,
a/k/a Miski,
MUSTAFA ALI SALAT,
ABDIWELI YASSIN ISSE,
a/k/a Farhan,
a/k/a Walaalo,
CABDULAAHI AHMED FAARAX,
a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,
FARAH MOHAMED BELEDI,
a/k/a Bloody,
a/k/a Asadullah,

ABDISALAN HUSSEIN ALI,
a/k/a Bullethead,
a/k/a Uhud, and
ABDIKADIR ALI ABDI,
a/k/a Omar,

each aiding and abetting and being aided and abetted by the other,

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did, in and affecting interstate and foreign commerce, knowingly and intentionally provide and attempt to provide material support and resources, namely financial support and personnel including themselves and others, to a foreign terrorist organization, namely al-Shabaab, knowing that al-Shabaab has engaged and engages in terrorist activity and terrorism, in violation of Title 18, United States Code, Sections 2339B(a)(1) and 2.

COUNT 5

(Conspiracy to Kill, Kidnap, Maim, and Injure)

12. From in or about September 2007 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah,
ZAKARIA MARUF,
a/k/a Abu Muslim,
MOHAMED ABDULLAHI HASSAN,
a/k/a Miski,
MUSTAFA ALI SALAT,
ABDIWELI YASSIN ISSE,
a/k/a Farhan,
a/k/a Walaalo,
CABDULAAHI AHMED FAARAX,
a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,

FARAH MOHAMED BELEDI,
a/k/a Bloody,
a/k/a Asadullah,
a/k/a Ghetto,
ABDISALAN HUSSEIN ALI,
a/k/a Bullethead,
a/k/a Uhud, and

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ABDIKADIR ALI ABDI,
a/k/a Omar,

knowingly and intentionally conspired with each other and others, known and unknown to the grand jury, to kill, kidnap, maim and injure persons outside of the United States, in violation of Title 18, United States Code, Section 956.

13. In furtherance of the conspiracy, and to effect the objects thereof, the defendants and their co-conspirators knowingly committed and caused the commission of the following overt acts, among others:

a. On or about December 4, 2007, in the State and District of Minnesota, SHIRWA AHMED boarded American Airlines flight 1572 from Minneapolis, Minnesota to Chicago, Illinois, with a final destination of Somalia.

b. On or about December 6, 2007, in the State and District of Minnesota, SALAH OSMAN AHMED, a/k/a Salman (charged elsewhere), boarded Northwest Airlines flight 56 from Minneapolis, Minnesota, to Amsterdam, Netherlands, with a final destination of Somalia.

c. On or about December 6, 2007, in the State and District of Minnesota, KAMAL SAID HASSAN, a/k/a, Abshir (charged elsewhere), boarded Northwest Airlines flight 56 from Minneapolis, Minnesota, to Amsterdam, Netherlands, with a final destination of Somalia.

d. On or about December 8, 2007, in the State and

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District of Minnesota, the defendant **AHMED ALI OMAR**, a/k/a Mustafa, boarded Northwest Airlines flight 56 from Minneapolis, Minnesota, to Amsterdam, Netherlands, with a final destination of Somalia.

e. On or about December 8, 2007, in the State and District of Minnesota, **ABDIFATAH ISSE**, a/k/a Omar (charged elsewhere), boarded Northwest Airlines flight 56 from Minneapolis, Minnesota, to Amsterdam, Netherlands, with a final destination of Somalia.

f. On or about December 12, 2007, in the State and District of Minnesota, the defendant **KHALID MOHAMUD ABSHIR**, a/k/a Abdul, a/k/a Abdullah, boarded Northwest Airlines flight 1258 from Minneapolis, Minnesota, to Washington Dulles International Airport in Virginia, with a final destination of Somalia.

g. On or about February 23, 2008, in the State and District of Minnesota, the defendant **ZAKARIA MARUF**, a/k/a Abu Muslim, boarded Northwest Airlines flight 678 from Minneapolis, Minnesota, to Washington Dulles International Airport in Virginia, with a final destination of Somalia.

h. On or about August 2, 2008, in the State and District of Minnesota, the defendant **MOHAMED ABDULLAHI HASSAN**, a/k/a Miski, boarded U.S. Airways flight 1693 from Minneapolis, Minnesota, to Charlotte, North Carolina, with a final destination of Somalia.

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i. On or about August 2, 2008, in the State and District of Minnesota, the defendant **MUSTAFA ALI SALAT**, boarded U.S. Airways flight 1693 from Minneapolis, Minnesota, to Charlotte, North Carolina, with a final destination of Somalia.

j. On or about November 3, 2008, in the State and District of Minnesota, the defendant, **ABDIKADIR ALI ABDI**, a/k/a Omar, boarded Northwest Airlines flight 182 from Minneapolis, Minnesota, to Boston, Massachusetts, with a final destination of Somalia.

k. On or about November 4, 2008, in the State and District of Minnesota, the defendant, **ABDISALAN HUSSEIN ALI**, a/k/a Bullethead, a/k/a Uhud, boarded Northwest Airlines flight 182 from Minneapolis, Minnesota, to Boston, Massachusetts, with a final destination of Somalia.

l. On or about October 5, 2009, in the State and District of Minnesota, the defendant, **ABDIWELI YASSIN ISSE**, a/k/a Farhan, a/k/a Walaalo, departed Minnesota in a rental car, with a final destination of Somalia.

m. On or about October 5, 2009, in the State and District of Minnesota, the defendant, **CABDULAAHI AHMED FAARAX**, a/k/a Adaki, a/k/a Mardadi, a/k/a Smiley, a/k/a Hayakallah, departed Minnesota in a rental car, with a final destination of Somalia.

n. On or about October 5, 2009, in the State and

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District of Minnesota, the defendant, **FARAH MOHAMED BELEDI**, a/k/a Bloody, a/k/a Asadullah, a/k/a Ghetto, departed Minnesota in a rental car, with a final destination of Somalia.

COUNT 6

(Possessing and Discharging a Firearm During a Crime of Violence)

14. From in or about March 2008 through in or about July 2008, in Somalia, the defendant,

AHMED ALI OMAR,
a/k/a Mustafa,

during, in relation to and in furtherance of crimes of violence which may be prosecuted in a court of the United States, namely the crimes charged in Counts One through Five, did knowingly use, carry, possess and discharge an AK-47-style assault rifle, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 7

(Solicitation to Commit a Crime of Violence)

15. From in or about September 2007 through in or about August 2008, in the State and District of Minnesota and elsewhere, the defendant,

AHMED ALI OMAR,
a/k/a Mustafa,

with intent that other persons engage in conduct constituting a felony that has as an element the use, attempted use and threatened use of physical force against the person and property of another in violation of the laws of the United States, that is, Title 18, United States Code, Section 956, and under circumstances strongly

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corroborative of that intent, did solicit, induce and endeavor to persuade ABDIFATAH ISSE, a/k/a Omar, SALAH OSMAN AHMED a/k/a Salman, KAMAL SAID HASSAN, a/k/a Abshir, the defendant MOHAMED ADULLAHI HASSAN, a/k/a Miski, and the defendant MUSTAFA ALI SALAT, among others, to engage in such conduct, all in violation of Title 18, United States Code, Section 373.

COUNT 8

(Solicitation to Commit a Crime of Violence)

16. From in or about September 2007 through in or about January 2008, in the State and District of Minnesota and elsewhere, the defendant,

KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah,

with intent that other persons engage in conduct constituting a felony that has as an element the use, attempted use and threatened use of physical force against the person and property of another in violation of the laws of the United States, that is, Title 18, United States Code, Section 956, and under circumstances strongly corroborative of that intent, did solicit, induce and endeavor to persuade ABDIFATAH ISSE, a/k/a Omar, SALAH OSMAN AHMED, a/k/a Salman, SHIRWA AHMED, and KAMAL SAID HASSAN, a/k/a Abshir, to engage in such conduct, all in violation of Title 18, United States Code, Section 373.

COUNT 9

(Solicitation to Commit a Crime of Violence)

17. From in or about September 2007 through in or about

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October 2009, in the State and District of Minnesota and elsewhere,
the defendant,

CABDULAAHI AHMED FAARAX,
a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,

with intent that other persons engage in conduct constituting a felony that has as an element the use, attempted use and threatened use of physical force against the person and property of another in violation of the laws of the United States, that is, Title 18, United States Code, Section 956, and under circumstances strongly corroborative of that intent, did solicit, induce and endeavor to persuade SALAH OSMAN AHMED, a/k/a Salman, SHIRWA AHMED, and KAMAL SAID HASSAN, a/k/a Abshir, to engage in such conduct, all in violation of Title 18, United States Code, Section 373.

COUNT 10

(False Statements)

On or about March 23, 2009, in the State and District of Oregon, in a matter within the jurisdiction of the Federal Bureau of Investigation ("FBI"), an agency of the United States, and in an offense involving international terrorism, the defendant,

CABDULAAHI AHMED FAARAX,
a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,

did knowingly and willfully make a false, fraudulent, and

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fictitious material statement and representation to agents of the FBI, in violation of Title 18, United States Code, Section 1001(a)(2); that is, he denied that he ever told anyone he had engaged in combat and claimed that he never encouraged anyone to travel to Somalia, when, in fact, he had told other individuals that he had fought in Somalia and encouraged others to travel to Somalia to fight the Ethiopians.

COUNT 11

(False Statements)

On or about April 17, 2009, in the State and District of Minnesota, in a matter within the jurisdiction of the Federal Bureau of Investigation ("FBI"), an agency of the United States, and in an offense involving international terrorism, the defendant,

CABDULAAHI AHMED FAARAX,

a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,

did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation to agents of the FBI, in violation of Title 18, United States Code, Section 1001(a)(2); that is, he stated that he did not know any of the Somalis who traveled overseas to fight, when, in fact, he encouraged men from Minnesota to travel to Somalia to fight and was aware of the departure of numerous men from Minnesota to Somalia to fight.

COUNT 12

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(Obstruction of Justice)

From on or about March 23, 2009, to on or about April 17, 2009, in the State and District of Minnesota and elsewhere, the defendant,

CABDULAAHI AHMED FAARAX,
a/k/a Adaki,
a/k/a Mardadi,
a/k/a Smiley,
a/k/a Hayakallah,

did knowingly, intentionally, and corruptly obstruct and impede official proceedings, that is, an FBI investigation and a federal grand jury investigation into ethnic Somali males traveling from Minnesota to Somalia, by making false statements on multiple occasions to two special agents of the FBI, all in violation of Title 18, United States Code, Section 1512(c)(2).

COUNT 13
(Passport Fraud)

In October, 2009, the defendant, outside the jurisdiction of any particular state or district,

FARAH MOHAMED BELEDI,
a/k/a Bloody,
a/k/a Asadullah,
a/k/a Ghetto,

aided and abetted by others, wilfully and knowingly used and attempted to use a U.S. passport issued and designed for the use of another, to facilitate an act of international terrorism, as alleged in Count 5 above, in violation of Title 18, United States Code, Sections 1544 and 2.

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A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON