

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
) 12 CR 168
) Violations: Title 18, United States
) Code, Sections 922, 1957, and
AIMAN OTHMAN) 2342.
)
)

COUNT ONE THROUGH SEVEN

The SPECIAL SEPTEMBER 2011 GRAND JURY charges:

1. At times material to this indictment:

a. As used in this indictment, “contraband cigarettes” means a quantity in excess of 10,000 cigarettes which bear no evidence of the payment of applicable taxes of the State of Illinois and the County of Cook, which require a stamp or other indication to be placed on packages and other containers of cigarettes to evidence payment of cigarette taxes.

b. Defendant AIMAN OTHMAN was not a person authorized to possess contraband cigarettes within the meaning of Title 18, United States Code, Section 2341(2).

2. On or about the dates set forth below, at Hickory Hills, in the Northern District of Illinois, Eastern Division, and elsewhere,

AIMAN OTHMAN,

defendant herein, did knowingly receive, possess, purchase, and distribute in excess of 10,000 contraband cigarettes:

Count	Date
One	November 16, 2010
Two	January 5, 2011
Three	August 4, 2011
Four	September 7, 2011
Five	October 13, 2011
Six	October 26, 2011
Seven	November 22, 2011

Each in violation of Title 18, United States Code, Section 2342(a).

COUNT EIGHT

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about February 14, 2011, at Mokena, Illinois, in the Northern District of Illinois, Eastern Division, and elsewhere,

AIMAN OTHMAN,

defendant herein, knowingly engaged in a monetary transaction by, through, and to a financial institution, affecting interstate commerce, in criminally derived property of a value greater than \$10,000, in that the defendant caused to be purchased a 2008 Cadillac Escalade, VIN number 1GYFK668X8R185356, which property was derived from specified unlawful activity, namely, the receipt, possession, purchase, and distribution of contraband cigarettes in violation of Title 18, United States Code, Section 2342(a);

In violation of Title 18, United States Code, Section 1957(a).

COUNT NINE

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

From on or about April 21, 2011, through on or about January 18, 2012, at Hickory Hills, in the Northern District of Illinois, Eastern Division,

AIMAN OTHMAN,

defendant herein, not being a licensed dealer, willfully engaged in the business of dealing in firearms, and in the course of such business, shipped and transported firearms in interstate commerce, namely, at least 161 firearms.

In violation of Title 18, United States Code, Section 922(a)(1)(A).

COUNT TEN

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about October 13, 2011 at Hickory Hills, Illinois, in the Northern District of Illinois, Eastern Division,

AIMAN OTHMAN,

defendant herein, previously having been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting interstate commerce a firearm, namely, a 9 millimeter Berretta, Model 92F pistol, bearing serial number BER583662, which firearm had traveled in interstate commerce prior to defendant's possession of the firearm;

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT ELEVEN

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about October 26, 2011 at Hickory Hills, Illinois, in the Northern District of Illinois, Eastern Division,

AIMAN OTHMAN,

defendant herein, previously having been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting interstate commerce a firearm, namely, a 9 millimeter Intratec, Model TecDC9 pistol, bearing serial number D072355, which firearm had traveled in interstate commerce prior to defendant's possession of the firearm;

In violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION ONE

The SPECIAL SEPTEMBER 2011 GRAND JURY further alleges:

1. The allegations contained in Counts One through Seven in the indictment are incorporated herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

2. As a result of those violations of Title 18, United States Code, Section 2342(a), as alleged in the foregoing indictment,

AIMAN OTHMAN,

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all right, title and interest in property, real and personal, which constitutes and is derived from proceeds traceable to the charged offenses.

3. The interests of defendant OTHMAN subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), include but are not limited to, proceeds from the sale of contraband cigarettes and a 2008 Cadillac Escalade, VIN number 1GYFK668X8R185356 seized by law enforcement agents on or about March 13, 2012 in Hickory Hills, Illinois.

4. If any of the property subject to forfeiture and described above, as a result of any act or omission of the defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third party;

- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

FORFEITURE ALLEGATION TWO

The SPECIAL SEPTEMBER 2011 GRAND JURY further alleges:

1. The allegations contained in Counts Eight in the indictment are incorporated herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(1).

2. As a result of this violation of Title 18, United States Code, Section 1957(a), as alleged in the foregoing indictment,

AIMAN OTHMAN,

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all right, title, and interest in property, real and personal, involved in the charged offense or any property traceable to such property.

3. The interests of defendant OTHMAN subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(1), include but are not limited to, a 2008 Cadillac Escalade, VIN number 1GYFK668X8R185356 seized by law enforcement agents on or about March 13, 2012 in Hickory Hills, Illinois.

4. If any of the property subject to forfeiture and described above, as a result of any act or omission of the defendant:

- f. Cannot be located upon the exercise of due diligence;
- g. Has been transferred or sold to, or deposited with, a third party;
- h. Has been placed beyond the jurisdiction of the Court;
- i. Has been substantially diminished in value; or
- j. Has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

All pursuant to Title 18, United States Code, Section 982(a)(1).

FORFEITURE ALLEGATION THREE

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations of Count Nine through Eleven incorporated here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of his willful violation of Title 18, United States Code, Section 922(a)(1)(A) and Title 18, United States Code, Section 922(g)(1), as alleged in the foregoing indictment,

AIMAN OTHMAN,

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any and all right, title, and interest he may have in any property involved in the charged offense.

3. The interest of the defendant subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) includes, but is not limited to, approximately 161 firearms seized from April 2011 to January 2012, by law enforcement agents in Hickory Hills, Illinois.

All pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY

