

NEWS

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FOR IMMEDIATE RELEASE
April 29, 2009

One Plotter Sentenced to Life plus 30 years; Second Gets 33 Years in Prison for Conspiring to Kill U.S. Soldiers

(More)

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CAMDEN, N.J. – The remaining two men convicted of plotting to kill members of the U.S. military during an armed attack on a military base were sentenced today to federal prison terms of life for one defendant and 33 years for the other for conspiring to kill members of the U.S. military, Acting United States Attorney Ralph J. Marra, Jr. announced.

U.S. District Judge Robert B. Kugler sentenced Mohamad Ibrahim Shnewer to a term of life in prison plus an additional, consecutive 30 years. Judge Kugler sentenced Serdar Tatar to 33 years in prison. There is no parole in the federal system.

Judge Kugler, who presided over a 12-week trial for the five defendants, also ordered Shnewer and Tatar to pay \$125,000 in restitution to the Department of the Army for the costs of added security measures undertaken in response to the plot.

Yesterday, Judge Kugler sentenced Dritan Duka and Shain Duka to prison terms of life plus 30 years. The third brother, Eljvir Duka, received a life prison term. The same \$125,000 restitution order was imposed for them as well. A news release concerning those sentencings is available at this link: <http://www.usdoj.gov/usao/nj/press/2009releases.html>

The case was tried by Deputy Assistant U.S. Attorney William E. Fitzpatrick and Assistant U.S. Attorney Michael A. Hammer, Jr., Chief of the U.S. Attorney's Office Counter-Terrorism Unit.

"The sentences are appropriate in each instance and we are pleased and gratified by the results," said Marra. "Over the last few years, this investigation and prosecution was of the highest priority for us and our law enforcement partners. Now that the case is behind us, I want to commend the trial attorneys, agents, investigators and all others who worked tirelessly to keep our soldiers, civilian employees and military bases safe."

"The sentences handed down today, along with the sentences in this case yesterday, reaffirm for all of us the value of the commitment we have made to live free from the tyranny of fear," said Special Agent in Charge Janice K. Fedarcy, of the Philadelphia Division of the FBI. "The FBI's top priority is to protect this nation from terrorism, and addressing threats of terrorist acts quickly and aggressively is the only way to succeed in this important mission."

"These sentences are the culmination of an extensive federal, state and local law enforcement operation," said David Kris, Assistant Attorney General for National Security. "While these defendants were not members of an international terrorist organization, their homegrown plot to murder U.S. military personnel at Fort Dix was no less serious or potentially deadly."

The defendants' arrests occurred on May 7, 2007, in Cherry Hill as Dritan and Shain Duka were meeting a confidential government witness to purchase four automatic M-16 rifles and three semi-automatic AK-47 rifles to be used in a future attack on military personnel. The other defendants were arrested at various locations at about the same time.

On Dec. 22, 2008, after 5½ days of deliberations, a jury convicted the three Duka brothers, Shnewer and Tatar on Count One of the seven-count Superseding Indictment that charged them

with conspiracy to murder members of the U.S. military. The jury also convicted the Dukas and Shnewer of firearm offenses, including possession of machine guns. (See conviction details below.)

The evidence proved that one member of the group conducted surveillance at Fort Dix and Fort Monmouth in New Jersey, Dover Air Force Base in Delaware and the U.S. Coast Guard in Philadelphia. The co-conspirators obtained a detailed map of Fort Dix, where they hoped to use assault rifles to kill as many soldiers as possible, according to trial testimony and evidence.

During the trial, the jury viewed secretly recorded videotapes of the defendants performing small-arms training at a shooting range in the Pocono Mountains in Pennsylvania and watching training videos amongst themselves that included depictions of American soldiers being killed and of known foreign Islamic radicals urging jihad against the United States.

The defendants and the charges on which each was convicted are as follows:

- Mohamad Ibrahim Shnewer, 24, of Cherry Hill: conspiracy to murder members of the members of the U.S. military, and the attempted possession of AK-47 semi-automatic assault weapons to be used in the attack.
- Dritan Duka, 30 of Cherry Hill: conspiracy to murder members of the U.S. military; possession of machine guns; possession and attempted possession of machine guns in furtherance of a crime of violence; and two counts of possession of firearms by an illegal alien.
- Shain Duka, 28, of Cherry Hill: conspiracy to murder members of the U.S. military; possession of machine guns; possession and attempted possession of machine guns in furtherance of a crime of violence; and two counts of possession of firearms by an illegal alien.
- Eljvir Duka, 25, of Cherry Hill: conspiracy to murder members of the U.S. military, and possession of firearms by illegal aliens. The jury acquitted on one count of possession and attempted possession of machine guns in furtherance of a crime of violence.
- Serdar Tatar, 25, of Philadelphia: conspiracy to murder members of the U.S. military.

A sixth co-defendant, Agron Abdullahu, 26, of Buena Vista Township, Atlantic County, pleaded guilty before Judge Kugler on Oct. 31, 2007, to aiding and abetting the Duka brothers' illegal possession of weapons. Abdullahu was arrested on May 7, 2007, along with the defendants convicted today. On March 31, 2008, Judge Kugler sentenced Abdullahu to 20 months in federal prison.

Marra credited the Special Agents of the FBI's Philadelphia Division and the FBI South Jersey Joint Terrorism Task Force, under the direction of Special Agent in Charge Fedarcyck, in Philadelphia, for investigation of the case.

Marra and Fedarcyck also thanked investigators with member agencies of the FBI South Jersey

Joint Terrorism Task Force, which comprises ICE's Philadelphia Division, under the direction of Special Agent in Charge John P. Kelleghan, the Camden County Prosecutor's Office, under the direction of the Prosecutor Warren W. Faulk, NJ State Police, under the direction of Col. Joseph "Rick" Fuentes, Superintendent, and the Delaware River Port Authority Police, under the direction of Chief Dave McClintock, for their tireless efforts on the investigation, and trial attorney John Van Lunkhuysen of the Counterterrorism Section of the Justice Department's National Security Division, for his trial preparation assistance.

Additionally, Marra and Fedarcy would like to thank the following agencies for their assistance and support: the U.S. military services at Fort Dix, Fort Monmouth, Dover Air Force Base, the U.S. Coast Guard in Philadelphia and the Naval Criminal Investigative Service, along with the Cherry Hill Police Department, Mt. Laurel Police Department, Cherry Hill Fire Department, Camden County Sheriff's Department, Philadelphia Police Department, Pennsylvania State Police, the Burlington County Prosecutor's Office, and N.J. Homeland Security.

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Defense Counsel:

Shnewer: Rocco Cipparone, Esq., Haddon Heights

Tatar: Richard Sparaco, Esq., Cherry Hill