

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

SUPERSEDING INFORMATION

- v. -

S2 10 Cr. 131 (PKC)

MOHAMED IBRAHIM AHMED,
a/k/a "Talha,"
a/k/a "Mohammed El Eritri,"
a/k/a "Abu Zakaria,"

Defendant.

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COUNT ONE

CONSPIRACY TO PROVIDE MATERIAL SUPPORT
TO A FOREIGN TERRORIST ORGANIZATION

The United States Attorney charges:

1. From at least in or about January 2009, up to and including in or about November 2009, in an offense occurring in and affecting interstate and foreign commerce, begun and committed outside of the jurisdiction of any particular State or district of the United States, MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully and 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, to wit, al Shabaab, which has been designated by the United States

Secretary of State as a Foreign Terrorist Organization, under Section 219 of the Immigration and Nationality Act, as amended, and as a Specially Designated Global Terrorist under Section 1(b) of Executive Order 13224, as amended, since in or about February 2008.

2. It was a part and an object of the conspiracy that MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," the defendant, and others known and unknown, would and did agree to provide al Shabaab with material support and resources, including, among other things, currency and personnel, knowing that al Shabaab was a designated terrorist organization (as defined in Title 18, United States Code, Section 2339B(g)(6)), that al Shabaab had engaged and was engaging in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and that al Shabaab had engaged and was engaging 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 Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," the defendant, and others known and unknown, committed the following overt acts,

among others:

a. In or about April 2009, AHMED traveled to the vicinity of Kismayo, Somalia, for the purpose of receiving jihad training at an Al Shabbab paramilitary camp.

b. In or about April 2009, while in the vicinity of Kismayo, Somalia, AHMED provided approximately 1,000 Euros to al Shabaab.

c. In or about April 2009, AHMED traveled to the vicinity of Barawa, Somalia, for the purpose of receiving jihad training at an Al Shabbab paramilitary camp.

d. In or about April 2009, while in the vicinity of Barawa, Somalia, AHMED provided approximately 2,000 Euros to al Shabaab.

e. In or about April 2009, in the vicinity of Barawa, Somalia, AHMED received training and instruction on bomb-making and bomb-detonation, including instructions for the preparation and/or assembly of: (i) silver fulminate; (ii) urea nitrate; (iii) ammonium nitrate; (iv) acetone peroxide; (v) a TNT oxidation mechanism in a nitric-sulfuric acid mixture; (vi) a bomb detonator; and (vii) different types of bomb fuses.

f. In or about April 2009, while in Somalia, AHMED purchased a Kalashnikov rifle, of the kind commonly known as an AK-47, additional magazines for the rifle, and two grenades.

g. In or about November 2009, while in Nigeria,

AHMED possessed documents reflecting the bomb-making instructions described in subparagraph (e).

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

COUNT TWO

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

The United States Attorney further charges:

4. From at least in or about January 2009, up to and including in or about November 2009, in an offense occurring in and affecting interstate and foreign commerce, begun and committed outside of the jurisdiction of any particular State or district of the United States, MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate and agree together and with each other to receive military-type training from and on behalf of al Shabaab, which has been designated by the United States Secretary of State as a foreign terrorist organization since in or about February 2008, as set forth above.

5. It was a part and an object of the conspiracy that MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," the defendant, and others known and unknown, would and did agree to receive military-type training from and on

behalf of al Shabaab, knowing that al Shabaab was a designated terrorist organization (as defined in Title 18, United States Code, Section 2339D(c)(4)), that al Shabaab had engaged and was engaging in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and that al Shabaab had engaged and was engaging 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

6. In furtherance of the conspiracy and to effect the illegal object thereof, MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," the defendant, and others known and unknown, committed the overt acts set forth in Paragraph 3 of this Information, which are fully incorporated by reference herein, among others.

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

FORFEITURE ALLEGATIONS

7. The allegations contained in Counts One and Two of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(G), and Title 28, United States Code, Section 2461(c).

8. The violations of Title 18, United States Code,

Section 371, alleged in Counts One and Two of this Information, were Federal crimes of terrorism, as defined in Title 18, United States Code, Section 2332b(g)(5), against the United States, citizens and residents of the United States, and their property.

9. MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," the defendant, was an individual engaged in planning and perpetrating a Federal crime of terrorism, as defined in Title 18, United States Code, Section 2332b(g)(5), against the United States, citizens and residents of the United States, and their property.

10. Upon conviction of the offenses in violation of Title 18, United States Code, Section 371, alleged in Counts One and Two of this Information, MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," 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, affording a source of influence over al Shabaab;
- b. 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
- c. 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.

11. Upon conviction of the offenses in violation of Title 18, United States Code, Section 371, alleged in Counts One and Two of this Information, MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," the defendant, shall pay to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(G), and Title 28, United States Code, Section 2461(c), a money judgment equal to the value of the assets subject to forfeiture under Paragraphs 7 through 10 above.

12. If any of the forfeitable property, as a result of any act or omission of MOHAMED IBRAHIM AHMED, a/k/a "Talha," a/k/a "Mohammed El Eritri," a/k/a "Abu Zakaria," the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

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

Preet Bharara

PREET BHARARA (88)
United States Attorney

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(Title 18, United States Code,
Section 371.)

PREET BHARARA
United States Attorney
