



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2024 Grand Jury

UNITED STATES OF AMERICA,
Plaintiff,
v.
SAMIR OUSMAN ALSHEIKH,
Defendant.

CR No. 24-00483(A)-HDV

F I R S T
S U P E R S E D I N G
I N D I C T M E N T

[18 U.S.C. § 2340A(c):
Conspiracy to Commit Torture;
18 U.S.C. § 2340A(a): Torture;
18 U.S.C. § 1546(a): Fraud and
Misuse of Visas; 18 U.S.C.
§ 1425(a): Attempted Unlawful
Procurement of Naturalization]

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At times relevant to this First Superseding Indictment:

A. SYRIA

1. The Syrian Arab Republic ("Syria") was a country in the Middle East. Damascus was the capital of Syria.

2. Bashar al-Assad was the president of Syria. Bashar al-Assad was the leader of the Syrian Branch of the Arab Socialist Ba'ath Party ("the Syrian Ba'ath Party"), a totalitarian party that dominated the Syrian government. During Bashar al-Assad's

1 presidency, which began in 2000, Syria's military, domestic
2 security services, intelligence agencies, and other ministries
3 attempted to quash opposition to the government, including by
4 imprisoning political dissidents.

5 B. THE DEFENDANT

6 3. Defendant SAMIR OUSMAN ALSHEIKH was a Syrian
7 government official. At times, defendant ALSHEIKH worked for the
8 Public Security Police, which was under the authority of the
9 Syrian Interior Ministry. At other times, defendant ALSHEIKH
10 worked for the Political Security Branch, a domestic Syrian
11 intelligence agency focused on countering political dissent.
12 Defendant ALSHEIKH rose to the rank of Brigadier General, a rank
13 that was used in the Syrian Interior Ministry and the Political
14 Security Branch, as well as in the military.

15 C. ADRA PRISON

16 4. Damascus Central Prison, which was located in the
17 northeastern suburbs of Damascus near the village of Adra, was
18 known as "Adra Prison." The Syrian Interior Ministry operated
19 Adra Prison.

20 5. From in or about 2005 and continuing through in or
21 about 2008, defendant ALSHEIKH was the head of Adra Prison.

22 6. During the time that defendant ALSHEIKH was the head
23 of Adra Prison, the prison held thousands of prisoners,
24 including both political dissidents and prisoners accused or
25 convicted of various other crimes. Most prisoners were held in
26 above-ground rooms that were shared with numerous other
27 prisoners.

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1 7. Adra Prison had a "Punishment Wing," also known as
2 Wing 13. Wing 13 included a below-ground section that contained
3 small isolation cells and a room in which prisoners were
4 interrogated and tortured. From in or about 2005 and continuing
5 through in or about 2008, defendant ALSHEIKH ordered prisoners
6 to Wing 13 to be interrogated and tortured.

7 8. Surveillance cameras were located throughout Adra
8 Prison, including in the Punishment Wing. Defendant ALSHEIKH
9 monitored the surveillance cameras from his office in the
10 prison.

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1 D. DEIR EZ-ZOUR

2 9. Following his role as the head of Adra Prison,
3 defendant ALSHEIKH was appointed governor of the province of
4 Deir Ez-Zour by Syrian President Bashar al-Assad. The following
5 photograph depicts defendant ALSHEIKH and Bashar al-Assad on or
6 about July 25, 2011, when Assad appointed defendant ALSHEIKH
7 governor of Deir Ez-Zour.



20 E. THE DEFENDANT'S IMMIGRATION TO THE UNITED STATES

21 10. On or about April 19, 2018, defendant ALSHEIKH
22 submitted a DS-260 Immigrant Visa Application to the U.S. State
23 Department, requesting entry into the United States. Defendant
24 ALSHEIKH's DS-260 Immigrant Visa Application contained
25 materially false information and concealed material information.

26 11. On or about August 26, 2018, defendant ALSHEIKH
27 falsely stated under oath at the U.S. Embassy in Amman, Jordan,
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1 that the information in his DS-260 Visa Application was true and
2 correct.

3 12. On or about January 22, 2020, defendant ALSHEIKH again
4 falsely stated under oath at the U.S. Embassy in Amman, Jordan,
5 that the information in his DS-260 Visa Application was true and
6 correct.

7 13. On or about January 23, 2020, the U.S. State
8 Department approved defendant ALSHEIKH's DS-260 Visa Application
9 on the basis of the information defendant ALSHEIKH had provided
10 under oath.

11 14. On or about March 4, 2020, defendant ALSHEIKH used the
12 visa he had unlawfully and fraudulently obtained to unlawfully
13 enter the United States at Los Angeles International Airport,
14 unlawfully become a Lawful Permanent Resident of the United
15 States, and unlawfully become eligible for a Permanent Resident
16 Card (also known as an "Alien Registration Receipt Card" and
17 commonly referred to as a "green card").

18 15. On or about March 25, 2020, U.S. Citizenship and
19 Immigration Services issued and mailed to defendant ALSHEIKH a
20 physical copy of his green card.

21 F. THE DEFENDANT'S APPLICATION TO BECOME A NATURALIZED UNITED
22 STATES CITIZEN

23 16. On or about January 7, 2023, defendant ALSHEIKH
24 submitted an N-400 Application for Naturalization as a United
25 States citizen. Defendant's N-400 Application for Naturalization
26 contained materially false information and concealed material
27 information.

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COUNT ONE

[18 U.S.C. § 2340A(c)]

17. The Grand Jury realleges paragraphs 1 through 16 of this First Superseding Indictment here.

A. OBJECT OF THE CONSPIRACY

18. Beginning in or about 2005 and continuing through in or about 2008, while outside of the United States in Syria, defendant SAMIR OUSMAN ALSHEIKH knowingly combined, conspired, confederated, and agreed with others known and unknown to the Grand Jury, including Syrian government officials, prison officials, and prison guards, to commit torture, in that defendant ALSHEIKH and others conspired to commit acts, under color of law, specifically intended to inflict severe physical and mental pain and suffering, other than pain and suffering incidental to lawful sanctions, upon other persons within defendant ALSHEIKH and his co-conspirators' custody and control, in violation of Title 18, United States Code, Section 2340A(a).

19. Specifically, the object of the conspiracy was to inflict severe physical and mental pain and suffering to punish political dissidents, and other prisoners who were perceived as sympathizing with the political dissidents, and to deter opposition to the Syrian government led by Bashar al-Assad.

B. MANNER AND MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE ACCOMPLISHED

20. The object of the conspiracy was to be accomplished, in substance, by defendant ALSHEIKH and his co-conspirators sending political dissidents, and other prisoners who were perceived as sympathizing with the political dissidents, to the

1 below-ground area of Wing 13 at Adra Prison, knowing that while
2 there the prisoners would be, among other things:

3 a. Squeezed into small isolation cells in which the
4 prisoners were held for days, sometimes with their hands bound
5 behind their backs overnight.

6 b. Packed together with 10 or more prisoners in
7 cells in which there was insufficient space for all of the
8 prisoners to lie down at the same time.

9 c. Confined in cells that were infested with lice
10 and other vermin.

11 d. Forced to live in cells that were very cold in
12 the winter, allowed to wear only minimal or no clothing, and had
13 freezing water poured on them.

14 e. Provided inadequate and sometimes inedible food.

15 f. Strapped flat on their backs to a wooden device
16 with hinges in the middle, known by some as the "Flying Carpet"
17 or "Magic Carpet." After the prisoner was secured to the device,
18 prison guards folded the bottom half of the device on top of the
19 upper half, forcing the prisoner's body to fold in half at the
20 waist into a position in which the prisoner's feet were level
21 with his head. This procedure caused excruciating pain, resulted
22 in severe back injuries, and sometimes fractured the prisoner's
23 spine. When the lower half of the device was folded on top of
24 the upper half, defendant ALSHEIKH, and others known and
25 unknown, sometimes kicked the elevated half of the device,
26 putting additional pressure on the lower half of the prisoner's
27 body and causing additional pain and further injury.

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1 g. Suspended for hours at a time from the ceiling
2 via metal manacles on each wrist that were attached to a pipe in
3 the ceiling. The prisoner's feet would be just off the ground
4 and his wrists and arms would either be held together above his
5 head or extended outward in a crucifixion-like position, giving
6 the prisoner the feeling that his arms were going to be ripped
7 off. Prison guards sometimes used their fists, wooden or plastic
8 batons, and cables to beat prisoners while they were suspended.
9 The cables typically consisted of multiple electric cables woven
10 together into a cord.

11 h. Fastened to a pulley-like device that stretched
12 the prisoners' arms and legs. Prison guards sometimes used their
13 fists, wooden or plastic batons, and cables to beat prisoners
14 whose bodies were extended in this position.

15 i. Beaten with fists, wooden or plastic batons, and
16 cables, sometimes while stuffed into tires to immobilize the
17 prisoner and facilitate the beatings.

18 j. Shocked with electric prods.

19 k. Burned with heated metal rods.

20 l. Denied medical treatment for their injuries.

21 m. Able to hear and sometimes see other prisoners
22 being tortured.

23 n. Subjected to the severe mental pain and suffering
24 of fearing when they would be tortured again.

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COUNT TWO

[18 U.S.C. §§ 2340A(a), 2(a)]

21. The Grand Jury realleges paragraphs 1 through 16 of this First Superseding Indictment here.

22. From in or about 2005 and continuing through in or about 2006, while outside of the United States in Syria, defendant SAMIR OUSMAN ALSHEIKH, together with others known and unknown to the Grand Jury, including Syrian government officials, prison officials and prison guards, each aiding and abetting the others, while specifically intending to inflict severe physical and mental pain and suffering, other than pain and suffering incidental to lawful sanctions, committed, counseled, commanded, induced, and procured the commission of torture, while acting under color of law, namely, by ordering K.A.M., a prisoner in defendant ALSHEIKH's custody and control, to Wing 13 because K.A.M. had refused to carry out defendant ALSHEIKH's order to physically harm a political dissident who was imprisoned at Adra Prison, and while in Wing 13, defendant ALSHEIKH, prison officials, and prison guards forcibly folded K.A.M.'s body together on the Flying Carpet, beat K.A.M. while he was suspended from the ceiling for hours at a time in a crucifixion-like position, stomped on and beat K.A.M., poured cold water on K.A.M. when the prison was cold, and confined K.A.M. for extended periods of time in a small isolation cell.

COUNT THREE

[18 U.S.C. §§ 2340A(a), 2(a)]

23. The Grand Jury realleges paragraphs 1 through 16 of this First Superseding Indictment here.

24. From in or about 2005 and continuing through in or about 2006, while outside of the United States in Syria, defendant SAMIR OUSMAN ALSHEIKH, together with others known and unknown to the Grand Jury, including Syrian government officials, prison officials, and prison guards, each aiding and abetting the others, while specifically intending to inflict severe physical and mental pain and suffering, other than pain and suffering incidental to lawful sanctions, committed, counseled, commanded, induced, and procured the commission of torture, while acting under color of law, namely, by ordering M.S., a prisoner in defendant ALSHEIKH's custody and control, to Wing 13 because M.S. had refused to carry out defendant ALSHEIKH's order to physically harm a political dissident who was imprisoned at Adra Prison, and while in Wing 13, prison officials and prison guards forcibly folded M.S.'s body together on the Flying Carpet, beat M.S. while he was suspended from the ceiling for hours at a time in a crucifixion-like position, poured cold water on M.S. when the prison was cold, confined M.S. for extended periods of time in a small isolation cell, and forced M.S. to sleep in this cell with his hands bound tightly behind his back.

COUNT FOUR

[18 U.S.C. §§ 2340A(a), 2(a)]

25. The Grand Jury realleges paragraphs 1 through 16 of this First Superseding Indictment here.

26. In or about 2007, while outside of the United States in Syria, defendant SAMIR OUSMAN ALSHEIKH, together with others known and unknown to the Grand Jury, including Syrian government officials, prison officials, and prison guards, each aiding and abetting the others, while specifically intending to inflict severe physical and mental pain and suffering, other than pain and suffering incidental to lawful sanctions, committed, counseled, commanded, induced, and procured the commission of torture, while acting under color of law, namely, by ordering N.S., a prisoner in defendant ALSHEIKH's custody and control, to Wing 13 after N.S. attempted to send a letter to a political dissident who was imprisoned in a different wing at Adra Prison that expressed support for the dissident's political activities, and while in Wing 13, was clothed in a red prison uniform indicating that he had been designated for execution and, although N.S. was not executed, when N.S. was held in Wing 13, prison officials and prison guards forcibly folded N.S.'s body together on the Flying Carpet, fracturing his spine.

COUNT FIVE

[18 U.S.C. § 1546(a)]

27. The Grand Jury realleges paragraphs 1 through 16 of this First Superseding Indictment here.

28. From on or about March 25, 2020, and continuing through on or about July 10, 2024, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMIR OUSMAN ALSHEIKH knowingly used, possessed, and obtained a document prescribed by statute and regulation for entry into and as evidence of authorized stay and employment in the United States, that is, a Permanent Resident Card (also known as an "Alien Registration Receipt Card" and commonly referred to as a "green card"), which defendant ALSHEIKH knew to have been procured by means of false claims and statements in his DS-260 Immigrant Visa Application, namely:

False Statement 1: In response to the question: "Have you ever committed, ordered, incited, assisted, or otherwise participated in torture?", defendant ALSHEIKH answered: "No," when, in fact, as defendant ALSHEIKH well knew, while he was the head of Adra Prison from in or about 2005 and continuing through in or about 2008, he had committed, ordered, incited, assisted, and otherwise participated in the torture of prisoners at Adra Prison.

False Statement 2: In response to the question: "Have you committed, ordered, incited, assisted, or otherwise participated in extrajudicial killings, political killings, or other acts of violence?", defendant ALSHEIKH answered: "No," when, in fact, as defendant ALSHEIKH well knew, while he was the head of Adra

1 Prison from in or about 2005 and continuing through in or about
2 2008, he had committed, ordered, incited, assisted, and
3 otherwise participated in acts of violence against prisoners at
4 Adra Prison.

5 False Statement 3: In response to the question: "Are you a
6 member of or affiliated with the Communist or other totalitarian
7 party?", defendant ALSHEIKH answered: "No," when, in fact, as
8 defendant ALSHEIKH well knew, through the positions he held in
9 the Syrian government, including as the head of Adra Prison and
10 the governor of Deir Ez-Zour, he was affiliated with the Syrian
11 Ba'ath Party, the totalitarian party that ruled Syria.

COUNT SIX

[18 U.S.C. § 1425(a)]

29. The Grand Jury realleges paragraphs 1 through 16 of this First Superseding Indictment here.

30. On or about January 7, 2023, in Los Angeles County, within the Central District of California, and elsewhere, defendant SAMIR OUSMAN ALSHEIKH knowingly attempted to procure for himself, contrary to law, naturalization as a United States citizen, to which he was not entitled, by making materially false statements under penalty of perjury in connection with his naturalization application, namely:

False Statement 1: In response to the question: "Have you **EVER** been a member of, involved in, or in any way associated with, any organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other location in the world?", defendant ALSHEIKH answered: "No," when, in fact, as defendant ALSHEIKH then well knew, through the positions he held in the Syrian government, including as the head of Adra Prison and the governor of Deir Ez-Zour, he was associated with the Syrian Ba'ath Party, the totalitarian party that ruled Syria.

False Statement 2: In response to the question: "Have you **EVER** been a member of, or in any way associated (either directly or indirectly) with [a]ny . . . totalitarian party?", defendant ALSHEIKH answered: "No," when, in fact, as defendant ALSHEIKH then well knew, through the positions he held in the Syrian government, including as the head of Adra Prison and the

1 governor of Deir Ez-Zour, he was associated with the Syrian
2 Ba'ath Party, the totalitarian party that ruled Syria.

3 False Statement 3: In response to the question: "Have you
4 **EVER** persecuted (either directly or indirectly) any person
5 because of race, religion, national origin, membership in a
6 particular social group, or political opinion?", defendant
7 ALSHEIKH answered: "No," when, in fact, as defendant ALSHEIKH
8 then well knew, while he was the head of Adra Prison from in or
9 about 2005 and continuing through in or about 2008, defendant
10 ALSHEIKH persecuted directly and indirectly persons because of
11 their political opinions.

12 False Statement 4: In response to the question: "Were you
13 **EVER** involved in any way with . . . [t]orture?", defendant
14 ALSHEIKH answered: "No," when, in fact, as defendant ALSHEIKH
15 then well knew, while he was the head of Adra Prison from in or
16 about 2005 and continuing through in or about 2008, defendant
17 ALSHEIKH was involved in the torture of prisoners.

18 False Statement 5: In response to the question: "Were you
19 **EVER** involved in any way with . . . [k]illing, or trying to
20 kill, someone?", defendant ALSHEIKH answered: "No," when, in
21 fact, as defendant ALSHEIKH then well knew, while he was the
22 head of Adra Prison from in or about 2005 and continuing through
23 in or about 2008, defendant ALSHEIKH was involved in the killing
24 of prisoners.

25 False Statement 6: In response to the question: "Were you
26 **EVER** involved in any way with . . . [b]adly hurting, or trying
27 to hurt, a person on purpose?", defendant ALSHEIKH answered:
28 "No," when, in fact, as defendant ALSHEIKH then well knew, while

1 he was the head of Adra Prison from in or about 2005 and
2 continuing through in or about 2008, defendant ALSHEIKH was
3 involved in badly hurting, and trying to hurt, prisoners on
4 purpose.

5 False Statement 7: In response to the question: "Were you
6 **EVER** a member of, or did you **EVER** serve in, help, or otherwise
7 participate in . . . [a p]olice unit?", defendant ALSHEIKH
8 answered: "No," when, in fact, as defendant ALSHEIKH then well
9 knew, he had served in a police unit in Syria.

10 False Statement 8: In response to the question: "Were you
11 **EVER** a worker, volunteer, or soldier, or did you otherwise **EVER**
12 serve in . . . [a p]rison or jail?", defendant ALSHEIKH
13 answered: "No," when, in fact, as defendant ALSHEIKH then well
14 knew, he worked as the head of Adra Prison.

15 False Statement 9: In response to the question: "Were you
16 **EVER** a worker, volunteer, or soldier, or did you otherwise **EVER**
17 serve in . . . [a d]etention facility (a place where people are
18 forced to stay)?", defendant ALSHEIKH answered: "No," when, in
19 fact, as defendant ALSHEIKH then well knew, he worked as the
20 head of Adra Prison, which was a detention facility where people
21 were forced to stay.

22 False Statement 10: In response to the question: "Were you
23 **EVER** a part of any group, or did you **EVER** help any group, unit,
24 or organization that used a weapon against any person, or
25 threatened to do so?" defendant ALSHEIKH answered: "No," when,
26 in fact, as defendant ALSHEIKH then well knew, while he was the
27 head of Adra Prison, defendant ALSHEIKH was part of the Syrian
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1 Interior Ministry, which used weapons against prisoners at Adra
2 Prison.

3 False Statement 11: In response to the question: "Have you
4 **EVER** given any U.S. Government officials any information or
5 documentation that was false, fraudulent, or misleading?",
6 defendant ALSHEIKH answered: "No," when, in fact, as defendant
7 ALSHEIKH then well knew, on or about April 19, 2018, defendant
8 ALSHEIKH gave false, fraudulent, and misleading information when
9 he stated on his DS-260 Immigrant Visa Application that he had
10 not "committed, ordered, incited, assisted, or otherwise
11 participated in extrajudicial killings, political killings, or
12 other acts of violence," and that he was not "a member of or
13 affiliated with . . . [a] totalitarian party."

14 False Statement 12: In response to the question: "Have you
15 **EVER** lied to any U.S. Government officials to gain entry or
16 admission into the United States or to gain immigration benefits
17 while in the United States?", defendant ALSHEIKH answered: "No,"
18 when, in fact, as defendant ALSHEIKH then well knew, on or about
19 August 26, 2018, and on or about January 22, 2020, defendant
20 ALSHEIKH lied when he stated under oath that his DS-260
21 Immigrant Visa Application was true and correct, when, in fact,
22 it had been falsely stated on the application that he had not
23 "committed, ordered, incited, assisted, or otherwise
24 participated in extrajudicial killings, political killings, or

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1 other acts of violence," and that he was not "a member of or
2 affiliated with . . . [a] totalitarian party."

3
4 A TRUE BILL

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6 /s/
Foreperson

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8
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