

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

ABU AGILA MOHAMMAD
MAS'UD KHEIR AL-MARIMI,

Defendant.

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Case No. 22-cr-392 (DLF)

UNDER SEAL

DECLARATION OF STEPHEN PANEPINTO

STEPHEN PANEPINTO, pursuant to 28 U.S.C. § 1746, declares the following under penalty of perjury:

1. I am the Chief of the Office of International Operations, Investigative Operations Division, United States Marshals Service.
2. The United States Attorney's Office contacted the United States Marshals Service to determine whether it would be possible to arrange for the travel of inmate Abu Agila Mohammad Mas'ud Kheir Al-Marimi from the United States to a foreign country for a pretrial deposition. Our office has determined it cannot safely and securely arrange for inmate Al-Marimi to travel to a foreign country based on the totality of the following circumstances.
3. The United States Marshals Service does not have authority to maintain custody of a prisoner in a foreign country, and it is very likely that a foreign government would not permit inmate Al-Marimi to enter their country under any circumstances, especially while he is not in custody.
4. Inmate Al-Marimi is charged with terrorism-related offenses, and Al-Marimi has admitted to law enforcement his connection to the Libyan External Security Organization under

former Libyan dictator Muammar Gaddafi. There are still Gaddafi supporters in Libya.

5. These factors cause increased security concerns that complicate transportation and contribute to the possible unwillingness of a foreign government to accept him into the country.

6. The inmate Al-Marimi is charged with destruction of an aircraft resulting in death, in violation of 18 U.S.C. §§ 32(a)(2), 34, and 2; destruction of an aircraft resulting in death, in violation of 18 U.S.C. §§ 32(a)(1), 34, and 2; and destruction of a vehicle used in foreign commerce by means of an explosive, resulting in death, in violation of 18 U.S.C. § 844(i).

7. Because of these heightened safety concerns, no commercial airline is likely to accept inmate Al-Marimi as a passenger on one of their aircraft.

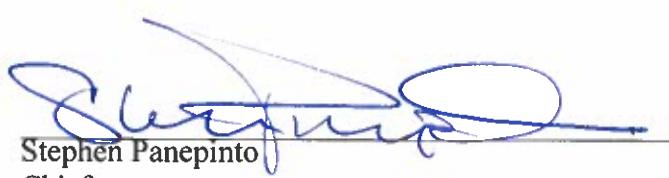
8. Inmate Al-Marimi is subject to Special Administrative Measures (SAMs), which would be impossible for the U.S. Marshals to enforce while inmate Al-Marimi is outside the United States.

9. The United States Marshals Service has the capability to facilitate video teleconferencing with inmate Al-Marimi in a secure location in the United States, so that he may effectively participate in the deposition taking place in a foreign country.

10. Under the circumstances, the United States Marshals Service has serious concerns about security and maintaining the Attorney-General ordered Special Administrative Measures if inmate Al-Marimi is transferred to a foreign country to participate in a deposition.

I declare under penalties of perjury that the foregoing is true and correct, pursuant to 28 U.S.C § 1746

Dated: 1/18/25 Washington, D.C.



Stephen Panepinto
Chief
Office of International Investigations, Investigative
Operations Division, United States Marshals
Service