U.S. Department of Justice

United States Attorney
Eastern District of New York

AFM:LRO

271 Cadman Plaza East
Brooklyn, New York 11201

September 23, 2026

By Email and ECF

The Honorable Lara K. Eshkenazi
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Davud Ansariy
Criminal Docket No. 21-594 (WFK)

Dear Judge Eshkenazi:

Defendant Davud Ansariy, also known as “Kozimjon Gafurov” and “Kozim,” is scheduled to be arraigned tomorrow before Your Honor on the above-referenced indictment. For the reasons set forth below, the government respectfully submits that the Court should enter a permanent order of detention. Not only do the charges give rise to a presumption of detention, but the defendant poses a danger to the community and a risk of flight.

I. Background

The defendant Davud Ansariy was charged, by sealed indictment, on November 21, 2021. The indictment charged Ansariy with one count of conspiring and one count of attempting to provide material support to the Islamic State of Iraq and al-Sham (“ISIS”) and Al-Nusrah Front (“ANF”), both foreign terrorist organizations, each in violation of 18 U.S.C. § 2339B.

On September 23, 2026, the defendant arrived at John F. Kennedy International Airport (“JFK Airport”), following his extradition from Georgia and transfer to United States law enforcement custody. He was previously arrested by Georgian authorities, after traveling from Uzbekistan to Tbilisi, Georgia in August 2026.

A. ISIS and ANF

ISIS is an extremist foreign terrorist organization with the goal of establishing a caliphate—a nation-state run according to Islamic law.

At all relevant times, ISIS (either by that name or one of its many predecessor or successor names and entities) has been a designated foreign terrorist organization. On or about October 15, 2004, the United States Secretary of State designated al- Qaeda in Iraq ("AQI"), then known as Jam 'at al Tawid wa' al-Jahid, as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive order 13224. On or about May 15, 2014, the Secretary of State amended the designation of AQI as an FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant ("ISIL") as its primary name. The Secretary of State also added the following aliases to the FTO listing: The Islamic State of Iraq and al-Sham ("ISIS," which is how the FTO will be referenced herein), The Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furquan Establishment for Media Production. On September 21, 2015, the Secretary added the following aliases to the FTO listing: Islamic State, ISIL, and ISIS. To date, ISIS remains a designated FTO.[1]

ISIS sought to achieve its goals through a brutal campaign of violence, including but not limited to mass executions, kidnappings, torture, and suicide bombings. By 2014—shortly before the core conduct at issue in this case—ISIS proclaimed itself to be a nation-state. Via the internet and social media, ISIS sought to engage with and radicalize potential recruits to either travel to ISIS territory to be fighters, or carry out terrorist attacks where they live.

B. The Offense Conduct

As early as 2014, the FBI began investigating a domestic network of radicalized individuals, based primarily in Brooklyn, New York, that was providing financial support for individuals who sought to travel to the Middle East to join ISIS or ANF.

Ansariy was a member and leader of that domestic support network. He worked with his many co-conspirators to raise money for aspiring foreign fighters to travel to Syria to join and fight on behalf of ISIS or ANF.[2] The group also raised money to support the families that fighters left behind when they traveled to Syria, and to help support the families of those who were killed fighting.

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[1] Similarly, at all relevant times, ANF was a designated foreign terrorist organization. See, e.g., Public Notices 8732, 8734, 79 Fed. Reg. 27972 (May 7, 2014) (Secretary of State's determination that ANF was a foreign terrorist organization; ANF had previously been designated as an alias of ISIS, also known as al-Qaeda in Iraq).

[2] Eight of the network's participants were charged and convicted in the related cases of United States v. Abdurasul Hasanovich Juraboev, et al., 15-CR-95 (WFK) and United States v. Dislhod Khusanov, 17-CR-475 (WFK). Several of those co-conspirators were sentenced to substantial terms of up to 180 months' imprisonment.

The network's participants used coded language, referring to the group as "chayxona," an Uzbek word which translates to "tea house" or "tea party." As a result of these "tea party" collections, Ansariy and others funded the travel of at least three individuals to Syria in 2013—and all three are believed to have been killed in Syria.

In addition, these "tea party" collections raised money for Akhror Saidakhmetov (one of Ansariy's convicted co-conspirators), to travel from Brooklyn to Istanbul, Turkey, in February 2015, for the purpose of waging violent jihad. Saidakhmetov, like many of his co-conspirators, expressed support for ISIS online. Upon viewing a video containing footage of multiple individuals pledging allegiance to ISIS and showing mass executions by ISIS of Iraqi forces captured during ISIS's takeover of Mosul, Iraq. Saidakhmetov wrote: "Allohu Akbar I was very happy after reading this, my eyes joyful so much victory."[3] On February 25, 2015, Saidakhmetov was arrested while trying to board a flight from JFK Airport to Istanbul, Turkey. Over the ensuing weeks and months, various co-conspirators were arrested and charged for their participation in the scheme.

In May 2016, Ansariy departed the United States for Turkey on a one-way ticket that he purchased the previous day. His departure from the United States came five days after the arrest of one of Ansariy's co-conspirators, on May 11, 2016. Since then, Ansariy has remained a fugitive.

A grand jury in the Eastern District of New York returned an indictment in November 2021, charging Ansariy with one count of conspiring and one count of attempting to provide material support to ISIS and ANF, in violation of 18 U.S.C. § 2339B.

II. Legal Standard

Under the Bail Reform Act, Title 18, United States Code, Section 3141, et seq., federal courts are empowered to order a defendant's detention pending trial upon a determination that the defendant is either a danger to the community or a risk of flight. See 18 U.S.C. § 3142(e) (a judicial officer "shall" order detention if "no condition or combination of conditions would reasonably assure the appearance of the person as required and the safety of any other person and the community"). A finding of dangerousness must be supported by clear and convincing evidence. See United States v. Ferranti, 66 F.3d 540, 542 (2d Cir. 1995); United States v. Chimurenga, 760 F.2d 400, 405 (2d Cir. 1985). A finding of risk of flight must be supported by a preponderance of the evidence. See United States v. Jackson, 823 F.2d 4, 5 (2d Cir. 1987); Chimurenga, 760 F.2d at 405.

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[3] Another convicted co-conspirator, Abdurasul Juraboev, similarly posted on an Uzbek-language website that propagates ISIS's terrorist ideology. Among other things, Juraboev offered to engage in an act of martyrdom on U.S. soil on behalf of ISIS, such as killing the then-President of the United States. In a subsequent interview with law enforcement agents, Juraboev also confirmed that he had pledged allegiance to ISIS and told the agents that, if ordered to do so by ISIS, he would conduct an attack in the United States.

The charges against the defendant carry a presumption of detention under the Bail Reform Act. Specifically, where a defendant is charged with certain enumerated offenses, the Bail Reform Act provides that "[s]ubject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community." 18 U.S.C. § 3142(e)(3). Those enumerated offenses include "an offense listed in section 2332b(g)(5)(B) of title 18, United States Code, for which a maximum term of imprisonment of 10 years or more is prescribed." 18 U.S.C. § 3142(e)(3)(C). Section 2332b(g)(5)(B), in turn, lists a number of terrorism offenses, including 18 U.S.C. § 2339B, which generally carries a maximum term of 20 years' imprisonment. (For certain of the offense conduct charged in this case, Section 2339B carries a maximum term of 15 years' imprisonment.) There is therefore a presumption that no condition or combination of conditions will permit the defendant to be released on bond.

Beyond the presumption of detention, the Bail Reform Act lists the following factors to be considered in the detention analysis: (1) the nature and circumstances of the offenses charged; (2) the weight of the evidence against the defendant; (3) the history and characteristics of the defendant; and (4) the nature and seriousness of the danger to any person or the community that would be posed by the defendant's release. See 18 U.S.C. § 3142(g). As discussed below, all of these factors weigh heavily in favor of detention.

III. The Court Should Enter a Permanent Order of Detention

As set forth above, there is a presumption that no condition or combination of conditions will permit the defendant to be released on bond. Moreover, an analysis of the relevant factors shows that the defendant presents both a danger to the community and a substantial risk of flight if released on bond. Accordingly, the Court should enter a permanent order of detention pending trial.

First, the charged offenses are extremely serious. The defendant is charged with attempting and conspiring to provide material support to ISIS and ANF, foreign terrorist organizations that are responsible for numerous acts of violence, including mass executions and beheadings. The charged offenses involve efforts by the defendant to help others fight and engage in terrorist activity on behalf of ISIS or ANF. In particular, the charged conduct involves the defendant's considerable efforts to provide financial assistance to multiple aspiring foreign fighters in their goal of joining ISIS. Notably, in listing the "nature and circumstances of the offense charged" as a criterion in the detention analysis, the Bail Reform Act specifically provides that the Court is to consider whether the crime charged is, among others, a crime of violence or a federal crime of terrorism. See 18 U.S.C. § 3142(g)(1). The charged offenses fall within this category, weighing heavily against release on bond. In short, the defendant's allegiance to a foreign terrorist organization, and his assistance to others to engage in acts of violence, demonstrate that he presents a danger to the community.

The evidence against the defendant is extremely strong. As noted above, seven co-conspirators have been previously charged and convicted in connection with the instant scheme, including one who was convicted at trial. With regard to Ansariy in particular, the evidence includes, among other things: witness testimony demonstrating that Ansariy was one of the most radicalized members of the community, who often watched videos of beheadings and encouraged others to travel to Syria to fight; testimony regarding the defendant's involvement in organizing "tea party" collections, including for foreign fighters and their families, and about the logistical assistance he provided to those traveling to Syria; messages and other communications between the defendant and his co-conspirators, including discussions of fundraising through a "tea party"; and travel records confirming the travel of multiple foreign fighters, including at least three who never returned.

The defendant poses, moreover, a demonstrated risk of flight. As an initial matter, the underlying offense conduct in this case involved Ansariy's efforts to facilitate travel abroad for foreign fighters while evading law enforcement detection. And eventually, in May 2016—days after the arrest of one of his co-conspirators—Ansariy himself departed the United States for Turkey on a one-way ticket that he had purchased the previous day. For more than a decade, Ansariy (who is also a citizen of Uzbekistan) remained a fugitive and, because he remained abroad, Ansariy abandoned any meaningful ties in the Eastern District of New York or elsewhere in the United States. Ansariy's extradition to the United States required an enormous expenditure of government resources, and should the defendant flee again, he would have access to parts of the world from which the United States has limited ability to recapture or extradite him.

Beyond his prior efforts to evade law enforcement, the prospect of a decades-long term of incarceration now renders the defendant an even more serious risk of flight. Simply put, should the defendant be released on bond, there is every reason to think he will make efforts to flee from the United States so that he can avoid the prospect of a lengthy prison term.

IV. Conclusion

For all of the foregoing reasons, the defendant should be detained pending trial. The defendant is charged with an extremely serious offense, which carries a presumption of detention, and faces a substantial term of imprisonment. He is, moreover, a demonstrated flight risk with no recent ties in the Eastern District of New York. The Court should enter a permanent order of detention pending trial.

Respectfully submitted,

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cc: Clerk of Court (by ECF)