

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America)

v.)

ALI HUSSEIN SALAMEY)

Case No. 8:18-mj-1979-JSS

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 2018 in the county of Hillsborough in the Middle District of Florida, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 1204

Removing a child from the United States and retaining a child (who has been in the United States) outside of the United States with intent to obstruct the lawful exercise of parental rights.

This criminal complaint is based on these facts:

See Attached Affidavit.

Continued on the attached sheet.

Complainant's signature

Gregory T. Christopher, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/30/18

Judge's signature

City and state: Tampa, Florida

JULIE S. SNEED, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Gregory T. Christopher, being duly sworn, do hereby depose and state:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been assigned as such since March 2006. I am currently assigned as the lead agent on the Central Florida Crimes Against Children (CFCAC) Task Force, which investigates child abductions, international parental Kidnappings (IPK), and domestic minor sex trafficking (DMST). In this capacity, I have received specialized training, which ranges from interviewing child victims to advanced investigative techniques to be employed during missing children investigations.

2. Prior to becoming a Special Agent, I served as an Officer in the United States Marine Corps for approximately six years. During my time in the United States Marine Corps, I served as a Platoon Commander and participated in combat operations in Operation Enduring Freedom.

3. As a Special Agent with the FBI, I am a federal law enforcement officer, as described in Title 18, United States Code, Section 2510(7). As such, I am responsible for investigating and enforcing violations of federal law. I have investigated matters involving the exploitation of children, particularly in relation to violations of Title 18, United States Code, Section 1204, which criminalizes a parent removing or attempting to remove a child from the United States with the intent to obstruct another parent's custodial rights.

4. The information in this affidavit is based upon my personal knowledge, conversations with other law enforcement officials, and/or review of relevant

reports. This affidavit is made in support of a criminal complaint charging Ali Hussein SALAMEY (“SALAMEY”) with removing a child from the United States and retaining a child (who has been in the United States) outside of the United States with intent to obstruct the lawful exercise of parental rights, in violation of Title 18, United States Code, Section 1204.

5. This affidavit is being submitted for the limited purpose of establishing probable cause. Therefore, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause that Ali Hussein SALAMEY committed acts in violation of Title 18, United States Code, Section 1204.

PROBABLE CAUSE

6. Ali Hussein SALAMEY and R.S. are the biological parents of D.S. (“Child”), born on or about September 10, 2014.¹ SALAMEY and R.S. were never married and lived separately. D.S. was born in Tampa, Florida and is a United States citizen. SALAMEY is a U.S. citizen as he was born in the United States after his parents emigrated from Lebanon. He also claims to be a Lebanese citizen.

7. In or around June 2016, SALAMEY and R.S. commenced a custody dispute over the Child in the Circuit Court for the Thirteenth Judicial Circuit in the Hillsborough County, Florida (“the court”). In or around May 2016, SALAMEY and R.S. entered into a mediated parenting plan. This parenting plan established

¹ Taken from the Final Judgement of Paternity filed with the Hillsborough County Circuit Court on June 30, 2017.

joint 50/50 timesharing and parental responsibility.

8. In or around March 2017, R.S. filed an Emergency Motion to Enforce Parenting Plan and for Contempt, alleging SALAMEY was denying her timesharing with the Child. The court denied emergency consideration for this motion and the parties scheduled a hearing. During the hearing, R.S. expressed concerns regarding SALAMEY'S intentions to travel outside of the U.S. with the Child. R.S. and SALAMEY testified that the Child did not then have a passport (U.S. or Lebanese). The court ruled that unless the parties were able to agree, neither parent was entitled to apply for a passport on behalf of the Child or travel outside of the U.S. with the Child without first filing a motion and obtaining the court's permission.

9. In or around June 2017, the court had a final hearing to determine custody. SALAMEY failed to appear. The court reviewed the file and heard testimony from R.S. R.S. testified that SALAMEY had threatened her that he was going to kidnap D.S. and take him to Lebanon. According to R.S., SALAMEY told R.S. that his father kidnapped his sister when she was a child and fled from the U.S. to Lebanon. R.S. further testified that SALAMEY told her it took SALAMEY's mother seven years to return his sister to the United States. The court awarded R.S. full custody and sole parental responsibility, finding that shared parental responsibility would be detrimental to the Child. According to the court, SALAMEY had not demonstrated the capacity or disposition to honor the timesharing schedule and had a history of withholding the child from the mother, on one occasion for as many as 21 days.

10. In or around July 2017, SALAMEY filed a motion with the court stating that his failure to attend the final hearing was not willful and he was not properly noticed. The judge granted the motion and set aside its custody order until a new final hearing could be held. As a result, the court-ordered custody arrangement returned to 50/50 timesharing between the Child's parents.

11. Between in or around November 2017, and in or around December 2017, the parties filed numerous motions in the custody dispute. Among other things, R.S. alleged that SALAMEY refused to return the Child to her for scheduled timesharing. On or about November 29, 2017, the court suspended SALAMEY'S timesharing with the child. In response, SALAMEY filed a motion seeking to disqualify the judge and, on or about December 28, 2017, a new judge was assigned to the case.

12. On or about July 31, 2018, R.S. (who worked at night) left D.S. in her home with a babysitter and went to work. At approximately 3:44 a.m., R.S. received a motion notification from her Ring doorbell camera, which was located at or near the front door of her residence. Moments later, R.S. received a text message from her babysitter that asked whether the Child's dad was supposed to take the Child. R.S. responded "no," but it was too late as SALAMEY had taken D.S. from his bed and left R.S.'s residence. R.S. immediately contacted local law enforcement. On or about August 2, 2018, R.S. filed an emergency motion for protection against domestic violence as a result of SALAMEY entering her house without permission and taking the Child. Thereafter, the Child was recovered from SALAMEY by local

law enforcement and SALAMEY was charged with interference with child custody and burglary of a dwelling. In response to R.S.'s motion, the court ruled that there was no appearance of immediate danger of becoming a victim of domestic violence and the 50/50 timesharing arrangement remained in place.

13. On or about August 23, 2018, the court entered an order that SALAMEY would enjoy timesharing with the Child beginning at noon on August 24, and ending no later than 9:00 a.m. on August 27, 2018. The Child was not returned to the mother on August 27, 2018. Instead, SALAMEY left the country with the Child and traveled to Lebanon, in violation of the court's order. The investigation revealed that SALAMEY and the Child left the United States on or about August 25, 2018, *en route* to Beirut, Lebanon. SALAMEY traveled on his Lebanese passport and the Child traveled on a recently obtained Lebanese passport. Based on this information, an Interpol Yellow Notice was issued for the missing child. Lebanon is not, however, a member of the Hague Convention Treaty and does not participate in efforts to return taken children to their home country.

14. I indirectly received two separate sets of documents from the Lebanese government concerning SALAMEY's attempts to obtain Lebanese travel documents for the Child without R.S.'s knowledge or consent. Those documents show, among other things, that in or around June 2018, SALAMEY applied for citizenship on behalf of the Child at the Lebanese Embassy in Washington, D.C. SALAMEY submitted to the Lebanese Embassy a fraudulent maternal consent form (on which he forged R.S.'s signature) to obtain travel documents for the Child. This request for

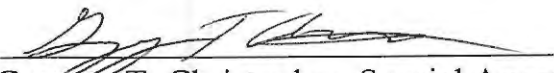
Lebanese citizenship and travel documents for the Child was denied by Lebanese Embassy staff.

15. One month later, in or around July 2018, SALAMEY again attempted to obtain Lebanese citizenship and travel documents for the Child from the Lebanese Consulate in Michigan. Instead of submitting a maternal consent form, SALAMEY gave the Lebanese Consulate a fraudulent Final Judgment of Paternity, which purported to show that SALAMEY was awarded sole parental responsibility and custody of the Child. When presented with the altered Judgment by SALAMEY, the Lebanese consulate issued a Lebanese passport for the Child. SALAMEY used this fraudulently obtained Lebanese passport issued to the Child to leave the United States and travel to Lebanon with the Child on or about August 25, 2018.

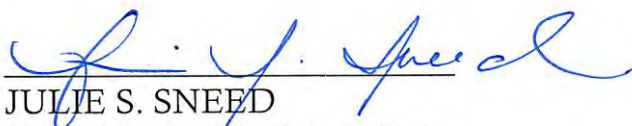
15. Since arriving in Lebanon with D.S., SALAMEY has denied R.S. access to the Child. According to R.S., SALAMEY has only once voluntarily allowed R.S. to speak to D.S. once via video chat at or near the time of their arrival in Lebanon. As a result of an FBI request, Lebanese authorities conducted a welfare check on D.S., which occurred or about September 27, 2018. During this check, R.S. was able to speak to the Child. After that check, SALAMEY has again restricted R.S.'s access to the child and she has had no contact with him. Based upon the investigation to date, I believe that the Child remains in Lebanon with SALAMEY. At no time did R.S. or the court give their permission for SALAMEY to remove the child from the United States.

CONCLUSION

16. Based upon the foregoing facts, your Affiant submits that there is probable cause to believe that ALI HUSSEIN SALAMEY committed a violation of International Parental Kidnapping, in violation of Title 18, United States Code, Section 1204.


Gregory T. Christopher, Special Agent
Federal Bureau of Investigation

Subscribed to and sworn before me
this 30 day of October, 2018.


JULIE S. SNEED
United States Magistrate Judge