

JUDGE WOOD

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- v. -

HAJI LAJAWARD;
AMAL SAID SAID ALAM SHAH,
a/k/a "Haji Zar Mohammad"; and
HABIBULLAH,

Defendants.

----- X

SEALED
INDICTMENT

15 Cr.
15 CRIM 235

COUNT ONE

The Grand Jury charges:

1. From at least in or about May 2014, up to and including the date of this Indictment, in the Southern District of New York and elsewhere, and in an offense begun and committed upon the high seas and elsewhere out of the jurisdiction of any particular State and district of the United States, HAJI LAJAWARD; AMAL SAID SAID ALAM SHAH, a/k/a "Haji Zar Mohammad"; and HABIBULLAH, the defendants, who will be first brought to and arrested in the Southern District of New York and whose point of entry into the United States will be the Southern District of New York, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

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DATE FILED JUL 14 2015

2. It was a part and an object of the conspiracy that HAJI LAJAWARD; AMAL SAID SAID ALAM SHAH, a/k/a "Haji Zar Mohammad"; and HABIBULLAH, the defendants, and others known and unknown, would and did import into the United States and into the customs territory of the United States from a place outside thereof a controlled substance, in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1).

3. It was further a part and an object of the conspiracy that HAJI LAJAWARD; AMAL SAID SAID ALAM SHAH, a/k/a "Haji Zar Mohammad"; and HABIBULLAH, the defendants, and others known and unknown, would and did manufacture and distribute a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 959(a) and 960(a)(3).

4. The controlled substance that HAJI LAJAWARD; AMAL SAID SAID ALAM SHAH, a/k/a "Haji Zar Mohammad"; and HABIBULLAH, the defendants, conspired to (i) import into the United States and into the customs territory of the United States from a place outside thereof, and (ii) manufacture and distribute, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside

thereof, was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 960(b)(1)(A).

Overt Acts

5. In furtherance of said conspiracy and to effect the illegal objects thereof, HAJI LAJAWARD; AMAL SAID SAID ALAM SHAH, a/k/a "Haji Zar Mohammad"; and HABIBULLAH, the defendants, and others known and unknown, committed the following overt acts, among others:

a. On or about January 15, 2015, HAJI LAJAWARD and a co-conspirator not named as a defendant herein ("CC-1") caused the delivery of three kilograms of heroin to an individual in the vicinity of Kabul, Afghanistan.

b. On or about January 15, 2015, in Dubai, United Arab Emirates, HABIBULLAH received payment for the three kilograms of heroin referenced in paragraph 5(a) above.

c. On or about January 15, 2015, HAJI LAJAWARD and AMAL SAID SAID ALAM SHAH, a/k/a "Haji Zar Mohammad," spoke on the telephone regarding the transaction described in paragraphs (5)(a) and 5(b) above.

(Title 21, United States Code, Sections 959(c) and 963; Title 18, United States Code, Section 3238.)

FORFEITURE ALLEGATION

6. As a result of committing the controlled substance offense charged in Count One of this Indictment, HAJI LAJAWARD; AMAL SAID SAID ALAM SHAH, a/k/a "Haji Zar Mohammad"; and HABIBULLAH, the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense charged in Count One of this Indictment.

Substitute Assets Provision

7. If any of the above-described forfeitable property, as a result of any act or omission of HAJI LAJAWARD; AMAL SAID SAID ALAM SHAH, a/k/a "Haji Zar Mohammad"; and HABIBULLAH, the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- 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, Sections 853(p) and 970, to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 & 970.)



FOREPERSON

A handwritten signature in cursive script that reads "Preet Bharara".

PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

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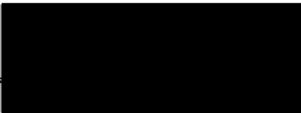
15 Cr.

(21 U.S.C. §§ 959(c) and 963; 18 U.S.C.
§ 3238.)

PREET BHARARA

United States Attorney.

A TRUE BILL

 Foreperson.

4/16/15 Filed Sealed Indictment

Filed Arrest Warrants

Judge Netburn

