

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the Northern District of Ohio

FILED 2015 JUN 19 PM 4:35 CLERK U.S. DISTRICT COURT NORTHERN DISTRICT OF OHIO CLEVELAND

United States of America v. Amir Said Rahman Al-Ghazi, aka Robert C. McCollum Defendant(s)

Case No. 1:15 MJ 4097

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 June 19, 2015 in the county of Lorain and Cuyahoga in the Northern District of Ohio, the defendant(s) violated:

Table with 2 columns: Code Section and Offense Description. Rows include Title 18, Section 2339B(a)(1); Title 18, Section 922(g)(1); Title 21, Sections 841(a)(1) and (b)(1)(D).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

[X] Continued on the attached sheet.

Handwritten signature of Ryan A. Presley

Ryan A. Presley, Special Agent Printed name and title

Sworn to before me and signed in my presence.

Date: 19 June 2015

City and state: Cleveland, Ohio

Handwritten signature of Nancy A. Vecchiarelli

Nancy A. Vecchiarelli, U.S. Magistrate Judge Printed name and title



1: 15 MJ 4097

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT
AND ARREST WARRANT

I, Ryan A. Presley, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation and, as such, am an investigative or law enforcement officer of the United States within the meaning of Rule 41(a)(2)(C) of the Federal Rules of Criminal Procedure. I am engaged in the enforcement of criminal laws and am within the category of officers authorized by the Attorney General to request and execute search warrants.

2. I have investigated numerous national security cases involving individuals seeking to travel overseas to commit violent jihad and who have participated in terrorist fundraising. Additionally, I have completed FBI administered counterterrorism classroom and online training, at the FBI Academy, and at other FBI facilities. I also have participated in the investigation of other federal violations to include drug trafficking, counterfeit goods, and organized crime.

3. The facts in this affidavit come from my personal observations,¹ my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause to support a criminal complaint and arrest warrant. Therefore, it does not set forth all of my knowledge about this matter.

¹ Affiant has reviewed all statements, postings, and tweets made by Al-Ghazi prior to incorporating them into this affidavit. Moreover, a significant portion of the content within this affidavit has also been obtained through the execution of a Search and Seizure Warrant on Amir Said Rahman Al-Ghazi's Twitter accounts. (See footnote 4.)

4. Based on my training and experience as a Special Agent with the FBI, as well as the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 18, United States Code, Section 2339B(a)(1), Attempting to Provide Material Support to a Designated Foreign Terrorist Organization; Title 18, United States Code, Section 922(g)(1), Felon in Possession of a Firearm; and Title 21, United States Code, Sections 841(a)(1) and (b)(1)(D), Distribution of Controlled Substances have been committed by Amir Said Abdul Rahman Al-Ghazi, aka "Robert C. McCollum."

5. Al-Ghazi is a United States citizen currently living at 5220 East Lake Road, Apartment B-12, Sheffield Lake, Ohio 44054. Al-Ghazi's name was previously Robert C. McCollum. In early 2015, Al-Ghazi legally changed his name from Robert C. McCollum to Amir Said Abdul Rahman Al-Ghazi.

6. This Court is advised that there are items within the Probable Cause section of this affidavit that have been translated from Arabic into English. In each instance, said initial translations were completed by a qualified FBI Linguist for the purpose of accurately representing the statements made by Al-Ghazi. Moreover, for ease of review, the translated material will be limited to that which is enclosed within brackets at the end of each numbered paragraph. Where there are multiple instances of a particular term or phrase, Affiant will only include a translation for the initial occurrence.

PROBABLE CAUSE

VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 2339B(a)(1)

7. Title 18, United States Code, Section 2339B states: "Whoever knowingly provides material support or resources to a foreign terrorist organization, or attempts or conspires to do so, shall be fined under this title or imprisoned.... To violate this paragraph, a person must

have knowledge that the organization is a designated terrorist organization (as defined in subsection (g)(6)), that the organization has engaged or engages in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), or that the organization has engaged or engages in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989).”

8. On October 15, 2004, the United States Secretary of State designated al-Qa’ida in Iraq (AQI), then known as Jam’at al Tawhid wa’al-Jihad, as a Foreign Terrorist Organization 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.

9. On May 15, 2014, the Secretary of State amended the designation of AQI as an Foreign Terrorist Organization 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 also added the following aliases for ISIL: the Islamic State of Iraq and al-Sham, the Islamic State of Iraq and Syria (ISIS), ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. Although the group never called itself “Al-Qa’ida in Iraq,” this name has frequently been used to describe it through its history. In an audio recording publically released on June 29, 2014, ISIL announced a formal name change of ISIL name to Islamic State (IS). ISIL has remained continuously designated since the first designation of AQI in 2004.

Ownership of Social Media Profiles

10. A portion of the information contained in this affidavit establishing probable cause to arrest Al-Ghazi was obtained through a review of postings by Al-Ghazi on social media. The investigation has confirmed Al-Ghazi's use of the relevant social media accounts. Specifically, there is probable cause to establish that Twitter profiles "Amir Al Ghazi," username of "@amiralghazi76," URL of <https://twitter.com/amiralghazi76>; "Amir Muwahid," username of "@MuwahidAmir," URL of <https://twitter.com/MuwahidAmir>; US Message Board profile "Amir Muwahid," username of "amirmuwahid76," URL of www.usmessageboard.com/members/amirmuwahid76.53232; Google+ profile "Amir Muwahid," URL of <https://plus.google.com/106169538990487418520>; and another communication application profile "abusadiq" are all utilized by Al-Ghazi.

11. In late March/early April 2015, Affiant noted the Twitter profile "Amir Al Ghazi" changed on two (2) occasions. The profile was first changed to "Abu Sadiq al Ghazi" and then to "Abu Ahmed al Amriki." Affiant noted that for both changes, the username and URL remained as "@amiralghazi76" and <https://twitter.com/amiralghazi76>. Additionally, Affiant observed the content for profiles "Abu Sadiq al Ghazi" and "Abu Ahmed al Amriki" to be consistent with that which was previously observed on profile "Amir Al Ghazi."

12. Relevant facts related to Al-Ghazi's use of referenced profiles are as follows:

13. On September 30 and October 3, 2013,² Affiant facilitated/conducted interviews with Al-Ghazi. On both occasions, Al-Ghazi stated that he intended to legally change his name to "Amir Al Ghazi" and provided his telephone number as (440) 329-4001.

² The September 30, 2013, interview of Al-Ghazi was conducted by a Cleveland FBI Joint Terrorism Task Force (JTTF) Officer at the direction of your Affiant.

14. In August of 2014, Al-Ghazi informed a Confidential Human Source (hereafter referred to as CHS#1³) via Twitter profile “Amir Al Ghazi,” that he intended to change his name to “Amir Al Ghazi” or “Amir Muwahid.”

15. Subsequent to these communications, CHS#1 met in-person with Al-Ghazi. After that meeting, Al-Ghazi utilized Twitter profile “Amir Al Ghazi” when continuing to communicate online with CHS#1.

16. Al-Ghazi also maintains a historical Twitter profile, “abu sadiq al ghazi,” username of “@abusadiq76,” and URL of <https://twitter.com/abusadiq76>. This profile contains a publically available image of Al-Ghazi and lists his residence as Lorain, Ohio. Al-Ghazi’s current residence is in Sheffield Lake, Ohio, which borders Lorain, Ohio. For Twitter accounts, “Amir Al Ghazi,” and “abu sadiq al ghazi,” the number “76” is used within the usernames (“@amiralghazi76”; “@abusadiq76”). Affiant notes that the year of birth for Al-Ghazi is 1976.

17. Publically accessible activity on Twitter profile “Amir al Ghazi,” ceased on December 27, 2014. Twitter profile “Amir Muwahid,” was established on December 29, 2014. The content observed within each profile appears to be substantially similar. On January 23, 2015, the user of Twitter profile “Amir Muwahid,” tweeted that he was “Abu Sadiq Al-Ghazi” and that he was “Amir Al Ghazi.”

18. Based on the facts and circumstances, a portion of which can be found within this Affidavit, Affiant believes Al-Ghazi was the user of Twitter profiles “Amir al Ghazi” and “Amir

³ CHS#1 is a paid confidential informant, having worked with the FBI for three (3) years. All information provided by CHS#1 to date has been deemed to be truthful and accurate, with no known reliability issues. Additionally, CHS#1 has independently documented his/her communications with Al-Ghazi, some of which were subsequently corroborated by the Search and Seizure Warrant served to Twitter, Inc. on February 13, 2015. Moreover, the communication between CHS#1 and Al-Ghazi that occurred on September 27, 2014 was corroborated through the usage of consensually monitored recording devices.

Muwahid.” Thereafter, on February 13, 2015, Affiant obtained and served a Search Warrant on Twitter, Inc. requesting information regarding both Twitter profiles.⁴

19. On February 5, 2015, Al-Ghazi engaged in a conversation with CHS#2,⁵ during which he stated that he had a profile on a “US American message board.” On February 6, 2015, Affiant conducted a passive review of publically available information on the website, www.usmessageboard.com. Affiant observed the existence of a profile, “amirmuwahid76,” URL of www.usmessageboard.com/members/amirmuwahid76.53232. Based upon content observed, which was substantially similar to the above referenced Twitter profiles, Affiant believed that this profile is utilized by Al-Ghazi.

20. On February 15, 2015, user “amirmuwahid76” responded to multiple messages from CHS#1 on the US Message Board website, confirming that he was the owner of Twitter profile “Amir Muwahid.” As such, Affiant has concluded that Al-Ghazi is the owner of this US Message Board profile.

21. On February 20, 2015, CHS#1 and Al-Ghazi conducted a conversation within the US Message Board website. In response to a question from CHS#1 regarding the best method to continue their online communications, Al-Ghazi responded, “Google+.” Thereafter, CHS#1

⁴ On February 13, 2015, Affiant obtained a Federal Search Warrant to search Twitter accounts, “Amir Al Ghazi” (username “@amiralghazi76”; URL of <https://twitter.com/amiralghazi76>) and “Amir Muwahid” (username “@MuwahidAmir”; URL of <https://twitter.com/MuwahidAmir>). Said Warrant was signed by the Honorable Nancy Vecchiarelli, Magistrate Judge - United States District Court for the Northern District of Ohio. Affiant subsequently served the Warrant on Twitter, Inc. on the same date.

⁵ CHS#2 is a paid confidential informant, having worked with the FBI for three (3) years. All information provided by CHS#2 to date has been deemed to be truthful and accurate, with no known reliability issues. CHS#2 does have an extensive criminal history to include receiving stolen property, domestic violence, assault/kidnapping, burglary, drug trafficking, weapons under a disability, and fraud related offenses that spans several years. Additionally, CHS#2 has received sentencing benefits/avoided other agency inquiries as the result of actions of Affiant and other Cleveland FBI agents. This notwithstanding, the majority of information contained within this affidavit that resulted from the activities of CHS#2 has been corroborated through the usage of consensually monitored recording devices.

located the Google+ account for Al-Ghazi, which is listed as “Amir Muwahid,” with a URL of <https://plus.google.com/106169538990487418520>.

22. On February 21, 2015, CHS#1 and Google+ profile “Amir Muwahid” conducted a conversation on Google+, during which the user confirmed that he was the owner of US Message Board profile “amirmuwahid76.” As such, Affiant has concluded that Al-Ghazi is the owner of this Google+ profile. As of June 8, 2015, this profile had 214 followers, 505 individuals in his “circles,” and had been viewed on 61,841 occasions.

23. On March 2, 2015, Affiant received results from Twitter, Inc. in response to the previously referenced Search Warrant. A review of the Internet Protocol (IP) login history for profiles “Amir Al Ghazi” and “Amir Muwahid” revealed a common IP address of 184.56.50.237 on December 29, 2014. Moreover, for profile “Amir Al Ghazi,” the registrant provided a telephone number of (440) 329-4001 (the telephone number previously provided to Affiant by Al-Ghazi). As such, Affiant has concluded that Al-Ghazi is the owner of both Twitter profiles.

24. A further review of the results received from Twitter, Inc. revealed that profile “Amir Al Ghazi” had 707 followers and was following an additional 1216 profiles, while profile “Amir Muwahid” had 219 followers and was following an additional 858 profiles.

25. On April 2, 2015, Al-Ghazi directed CHS#1 to develop a profile within another communication application to avoid detection from law enforcement.⁶ Upon developing his/her profile, CHS#1 observed that he/she was added to the contact list of user “abusadiq.” CHS#1 subsequently confirmed that the profile was owned by Al-Ghazi.

26. As of June 8, 2015, Al-Ghazi maintained a YouTube profile, “Amir Muwahid,” with the corresponding URL of

⁶ An open source, online query of this communication application revealed it to be a mobile messaging application for text, image and voice messages.

https://www.youtube.com/channel/UC19_y36AMumYVkmIAvEzC6Q. This profile is linked to the above referenced Google + profile “Amir Muwahid” (see paragraph 22).

Statements of Allegiance, Affiliation with, and Desire to Act on Behalf of ISIL

27. During the period of July of 2014 through June 2015, Al-Ghazi has made multiple statements indicating his allegiance to, affiliation with, and desire to act on behalf of ISIL. Relevant statements include the following:

28. On June 18, 2014, Al-Ghazi pledged his allegiance to ISIL in a Facebook posting on the internet. On June 16, 2014, Al-Ghazi posted a YouTube link to a video entitled, “Stand up and pledge allegiance to Abu Bakr Al-Baghdadi,” who is the declared leader, or Caliph, of ISIL. CHS#1 subsequently inquired via Facebook if Al-Ghazi was ready to make “bayah.” On June 18, 2014, Al-Ghazi responded, stating: “Naam I’m ready to make bayah.” [The term “bayah” translates to a “pledge of allegiance”; “Naam” translates to “Yes.”]

29. On September 10, 2014, CHS#2 and Al-Ghazi had a conversation, wherein they discussed ISIL. CHS#2 specifically asked Al-Ghazi about recent news coverage of the beheadings of U.S. Citizens. In response, Al-Ghazi stated, “...and you really wanna know what I think?...I support that...That’s our way of life...Yeah, I go for this...I’m uh...I do this.” Al-Ghazi added that he took his beliefs so seriously, that if the Muslims in the United States were at war with non-Muslims, he would cut off the head of his non-Muslim son if necessary.

30. During the same conversation, Al-Ghazi also stated that he was trying to order a flag from England. Al-Ghazi added that if law enforcement were to discover the flag, he could potentially be arrested. Based upon the totality of the information within this Affidavit, the logical inference is that Al-Ghazi was referring to a black flag with white Arabic script, commonly utilized by terrorist organizations such as ISIL. Lastly, Al-Ghazi made statements

during this conversation that were indicative of his belief that it is permissible to behead Christians, Jews, and Atheists.

31. On September 18, 2014, CHS#2 and Al-Ghazi had another conversation regarding ISIL and the beheading of a British citizen. Al-Ghazi stated that ISIL beheaded this individual because Britain was in league with America. He then expounded, "...We tired of them fuckin' with us...And when I say us...and you may seem like, damn,...you crazy...Allah says a Muslim is like a body....Surely if I prick your finger, the whole body will feel it...Those brothers and sisters in Iraq are my brothers and sisters."

32. On September 23, 2014, using Twitter profile "Amir Al Ghazi," Al-Ghazi tweeted, "America is worried about IS recruiting, bayah has been given they're too late," "The jammat setting the best example for all of us is fighting jihad fisabillah right now!," and "We have to fight them we are commanded by Allah to fight." [The term "jammat" translates to "the group or folks"; the term "fighting jihad fisabillah" translates to "fighting for God or sacrificing for the sake of God."]

33. On September 27, 2014, CHS#1 and Al-Ghazi had a conversation wherein he expressed his support of ISIL and communicated his desire to conduct a terrorist attack in the United States. Al-Ghazi referenced attacking a police station, but then stated this would only be possible if he had another "100 brothers" like him. Al-Ghazi then stated that he was interested in attacking the country's infrastructure, specifically referencing the derailment of a train as it would make the United States "look twice in their own backyard." Al-Ghazi emphasized that he wasn't interested in a "martyrdom operation," stating that he "wanted to get away with it" and that he wanted to do something that would keep him "out of the limelight." Al-Ghazi added that

he was not “squeamish,” he had “no qualms with killing kuffar,” but his “intentions need to be correct.”⁷ [The term “kuffar” translates to “non-believer or infidel.”]

34. On November 18, 2014, using Twitter profile “Amir Al Ghazi,” Al-Ghazi tweeted, “Jihad is our only option to establish the law of Allah azza wajjal everywhere,” and, “Join the Islamic State If not represent the caliphate wherever You Are America to Australia. We Are Commanded To Fight Where Are You muslims.” [The term “azza wajjal” translates to “God almighty.”]

35. On December 30, 2014, using Twitter profile “Amir Muwahid,” Al-Ghazi tweeted, “Islamic State is our caliphate like it or not.”

36. On January 7, 2015, using Twitter profile “Amir Muwahid,” Al-Ghazi tweeted, “Understand Islamic state has no borders.”

37. On January 9, 2015, using Twitter profile “Amir Muwahid,” Al-Ghazi tweeted, “Islamic state in america.”

38. On January 12, 2015, using Twitter profile “Amir Muwahid,” Al-Ghazi responded to a tweet from a Cleveland area news station, which read, “Hackers take control of US military’s Central Command Twitter account.” In response, Al-Ghazi tweeted “baqiyyah!” The term “baqiyyah” has become a popular statement or “battle cry” with those who are affiliated with ISIL. [This term literally translates to “the rest of” or “what is left.” Within the context of this paragraph, the phrase likely means, “We are here to stay.”]

⁷ CHS#1 attempted to continue this discussion throughout October of 2014. Al-Ghazi ultimately responded, indicating that he had been approached by a “fed” and didn’t want to bring CHS#1 to the attention of law enforcement. Affiant is not aware of Al-Ghazi having been approached by any member of law enforcement. Additionally, Al-Ghazi indicated that he and CHS#1 should begin making dawah videos but cease communications. Dawah videos are Islamic-themed videos frequently produced and/or viewed by jihadists.

39. On February 2, 2015, while using US Message Board profile “amirmuwahid76,” Al-Ghazi stated, “Baqiyah The Islamic state will remain, it has been established woe to you kuffar who aim your arrows in the direction of the Muslims be it here in america or abroad.”

40. On February 4, 2015, while using US Message Board profile “amirmuwahid76,” Al-Ghazi stated, “What you all don't get is that we sunni Muslims love Allah and his prophet more than we love our mothers. We are all Islamic state citizens. This isn't some gang in the desert you're fighting. This is ww3 the beginning has just begun.”

41. On February 5, 2015, while using US Message Board profile “amirmuwahid76,” Al-Ghazi stated, “We are here everywhere the caliphate has been established the rise of Islam is upon you.”

42. On February 22, 2015, CHS#1 observed that, while using Google+ profile “Amir Muwahid,” Al-Ghazi made the statement (which was shared privately⁸), “The time grows near when the Mujahideen of the Americas will realize that We will be the tip of the sword of the Khilafah.”⁹

43. On March 4, 2015, CHS#1 and Al-Ghazi, while using Google+ profile “Amir Muwahid,” conducted a private conversation within the Google+ website. During this conversation, Al-Ghazi reaffirmed his pledge of allegiance, or “bayah,” to ISIL and provided instructions to CHS#1 on how to correctly make his/her own pledge of allegiance. Specifically, Al-Ghazi stated, “OK bayah means you will follow all orders by the caliph... Publically and in

⁸ When a Google+ user privately shares content on his/her profile page, it is only visible to those users who are accepted into his/her “circles” or “hangouts.”

⁹ The term “Khilafah” is synonymous with the term “Caliphate.” Those who are supportive of ISIL believe that the group has re-established the “Khilafah” or “Caliphate,” and Abu Bakr Al-Baghdadi (the leader of ISIL) is the rightful “Caliph” (or leader).

your heart...That's what I did... Just say I give bayah to Ibrahim al husayni al qurayshi Al baghdadi.”

44. On March 16, 2015, during a conversation with CHS#2, Al-Ghazi again confirmed that he has pledged his allegiance, or “bayah,” to ISIL. Additionally, Al-Ghazi indicated that his online statements were on behalf of ISIL, stating, “...there’s nobody speaking for the State here...just me.”

45. On April 13, 2015, Affiant learned that Al-Ghazi was communicating with another CHS online. Al-Ghazi and the CHS had been in intermittent communication via Twitter and another communication application for approximately one (1) year. During these conversations, CHS has identified himself/herself as being male, having resided in the United States and United Kingdom, and being an ISIL soldier located in Mosul, Iraq. Hereinafter, this individual will be referred to as CHS#3.¹⁰

46. During their initial communications, Al-Ghazi made statements to CHS#3 indicating his support of ISIL and his desire to relocate his family to the Islamic State. Additionally, Al-Ghazi stated that he was inspired by the Boston bombing attack, inquired if CHS#3 knew of any brothers that could assist with an attack/forming an attack strategy, and stated that he needed weapons and the assistance of a bomb maker. Lastly, Al-Ghazi stated that he was willing to die under the name and blessing of ISIL.

47. On the same date, CHS#3 and Al-Ghazi had a conversation, while using communication application account “abusadiq,” wherein Al-Ghazi made statements regarding his interest in conducting an attack in the United States. Al-Ghazi specifically referenced

¹⁰ CHS#3 is a paid confidential informant. All information provided by CHS#3 to date has been deemed to be truthful and accurate, with no known reliability issues.

theoretical attack locations that focused on areas of infrastructure in the United States such as “oil pipelines in the middle of the country,” “country roads with gutters,” and “police stations.”

48. On May 3, 2015, while using communication application profile “abusadiq,” Al-Ghazi conducted a conversation with CHS#3, who had represented to Al-Ghazi that he/she was an ISIL soldier in Mosul, Iraq. Al-Ghazi initiated a discussion wherein he stated that he preferred conducting jihad in the United States as opposed to migrating to the Middle East. Al-Ghazi added that he lacked weapons to conduct an attack, but was in contact with other individuals throughout the United States. In response, CHS#3 offered his/her assistance and stated that “the caliph” (e.g., Abu Bakr al-Baghdadi, the leader of ISIL) was aware of Al-Ghazi’s intentions. Al-Ghazi closed the conversation by stating, “Tell the bros that their brother Abu Ghazi sends salaams [greetings],” and “Send my salaams.”

49. On May 7, 2015, during a conversation with CHS#2, Al-Ghazi discussed the recent attempted terrorist attack that occurred in Garland, Texas on May 3, 2015. Al-Ghazi stated that the western media was hesitant to attribute the attempted attack to ISIL. In response, Al-Ghazi stated, “Remember something. If you are a Muslim and you have given bayah to Abu Bakr al-Baghdadi, you are a citizen of the Islamic State. It doesn’t matter. You can be from the North Pole. You feel me? You don’t have to be in Iraq or Syria to be a citizen of Dawla, to the Islamic...”¹¹

50. During this same conversation, Al-Ghazi discussed his concerns of being arrested by federal law enforcement personnel, specifically stating, “The Feds ever knock on my door they’re probably never gonna let me out. Once they do the bar graph and all that. It’s either die

¹¹ See paragraph 9, wherein ISIL has been alternatively described as “Dawla,” or iterations thereof, by the Secretary of State.

in jail or die right now.”¹² Al-Ghazi further indicated that he didn’t intend to return to prison and would instead engage law enforcement, specifically stating, “I’m not trying to spend the rest of my life in that mother fucker. Especially when if I kill one of these mother fuckers, I go to heaven.”¹³

51. On May 29, 2015, during a conversation with CHS#2, Al-Ghazi discussed his wish to die on the battlefield. Al-Ghazi specifically stated, “...but real men die on the battlefield. I don’t want to die in a cell. I don’t want to die surrounded by my children in my bed. I want to die on the battlefield. I want to die fighting. You know what I mean? I mean...if...I want to die [inaudible]...coming at me. I want them to have to put me down. The best warriors, and when I say warriors, I mean those to achieve the highest rank in paradise. They die fighting on the battlefield, you know what I mean? This is what God says...”¹⁴

52. On June 4, 2015, CHS#1 and Al-Ghazi had conversations within Google+ and another communication application. For this conversation, CHS#1 utilized a newly created

¹² Within this paragraph, Al-Ghazi referenced “the bar graph and all that” when discussing his concerns of being arrested by federal law enforcement personnel as a result of his online activities. Affiant believes that Al-Ghazi is likely referring to the discovery by law enforcement of his online activities or associates.

¹³ In addition to Al-Ghazi’s statements regarding his intentions to engage law enforcement if arrested, he has also utilized Twitter to encourage other Muslims in the United States to take similar action. On April 1, 2015, while using Twitter profile “Abu Sadiq al Ghazi,” Al-Ghazi tweeted, “You fear the FBI, Police? Fear Allah and take the safety off...Allahu Akbar [God is the greatest]!!!!” Additionally, Al-Ghazi tweeted, “Ihkwan [likely meaning “brothers”] if you are in america its time. We are missing out on the blessings of martyrdom. Will you will wait till they’re knocking at the door?” Based upon the context of Al-Ghazi’s tweets, Affiant assesses that Al-Ghazi’s statement to “take the safety off” is a reference to disengaging the safety on a weapon for the purpose of firing upon FBI agents and/or other law enforcement officers.

Again, on April 8, 2015, while using Twitter profile “Abu Ahmed al Amriki,” Al-Ghazi tweeted, “When they knock on the door...what will you do? will you go for jannah? Or accept the box they’ll stick you in.” [The term “jannah” translates to “paradise.”] Based upon the context of Al-Ghazi’s tweets and statements made to FBI CHSs, Affiant assesses that Al-Ghazi’s question, “When they knock on the door...what will you do? will you go for jannah?” is a reference to killing law enforcement officers that approach the residences of ISIL members and/or sympathizers. Affiant further assesses that Al-Ghazi’s statements are meant to equate the criminal act of killing a law enforcement officer with an act of martyrdom, which he believes would be rewarded with entry to “jannah” or “paradise.”

¹⁴ While making this statement, Al-Ghazi appeared to raise his arms in front of his body, possibly to illustrate the act of discharging a firearm.

persona indicating that he/she is a member of ISIL and is located within the Middle East (Al-Ghazi did not know this persona belonged to the same person he had previously communicated with). During their conversation within communication application, while using profile “abusadiq,” Al-Ghazi reaffirmed his allegiance to ISIL and/or Abu Bakr al-Baghdadi. Specifically, Al-Ghazi stated, “I abu ghazi al amriki give bayah to amir ul munineen Ibrahim al awwad Al husseni, al qureshi In good times and bad.”¹⁵

53. During this same conversation, Al-Ghazi made statements indicating that he was trying to recruit individuals in the United States to join ISIL. He specifically stated that he was “trying to put a squad of believers together” and he believed the United States “can be the land of jihad.” Al-Ghazi also made references indicating an interest in conducting terrorist attacks in the United States, stating, “Have to do jihad here,” “If I had 10 brothers from Dawla and someone who knows how to make explosive,” and “an istihadi op is no different than when the prophet (saw) in the hadith told the man to accept islam first before he fought then grabbed two swords and was martyred.”¹⁶

54. On June 8, 2015, while using communication application profile “abusadiq,” Al-Ghazi conducted a conversation with CHS#3, who had represented to Al-Ghazi that he/she was an ISIL soldier in Mosul, Iraq. During this conversation, Al-Ghazi made multiple statements indicating his continued allegiance to ISIL and his desire to act on their behalf. Specifically, Al-Ghazi demonstrated his allegiance to ISIL and/or its leadership with the statements, “I love shekh adnani (referring to the official press officer for ISIL),” “You ever bump into him tell him

¹⁵ An open source, online query of the name “amir ul munineen Ibrahim al awwad Al husseni, al qureshi” revealed this to be an alias for Abu Bakr al-Baghdadi, the leader of ISIL.

¹⁶ Affiant assesses that Al-Ghazi’s usage of the term “istihadi” is a misspelled reference to the term “ishtihadi,” which translates to “suicide” or “martyrdom.” In this context, Al-Ghazi is likely referring to suicide or martyrdom operations.

abu ghazi loves him lol,” and “I love my caliph all my brothers.” Additionally, Al-Ghazi stated, “He say we have lions whose food is blood and carnage (note similar statements made in paragraph 72),” “Forgive me but the savage in me is itching for it,” and “Everyday the[y] feel safe...that will change.”

55. During this same conversation, Al-Ghazi also indicated his interest in forming a group of ISIL supporters in the United States. Specifically, Al-Ghazi stated, “Under the guise some outing bros could connect just to put those in proximity to reach other together” and “Lone wolves crave a pack...Even a small one.” Al-Ghazi then attempted to illustrate the importance of forming a group with his statement (referencing the failed terrorist attack in Garland, Texas), “If the Texas bros had maybe 6 more with them it may have been a different story.” Additionally, in response to questioning from CHS#3, Al-Ghazi stated that he had been planning (without providing further information as to what), specifically stating, “Yes Alhamdulillah [Thanks be to God] I have too put things in place for my fam safety etc.” CHS#3 followed by inquiring if Al-Ghazi was “ready in the event that they interfere akhi?”¹⁷ Al-Ghazi responded with the statement, “I gotta 45 if that’s what u mean lol.” Lastly, Al-Ghazi indicated his consideration of home robberies for the purpose of obtaining weapons with his inquires, “Can I rob house to get what I need? kuffar houses...Like they’re wealth is lawful right?”

Statements/Actions Indicating an Intention to Make Islamic Propaganda and Recruiting Videos on Behalf of ISIL

56. On February 12, 2015, Al-Ghazi informed CHS#2 that he intended to purchase an AK-47 assault rifle for the purpose of making propaganda videos in his residence. Al-Ghazi further stated that he was already in possession of a ski-mask and may want a “green screen” in

¹⁷ CHS#3 was referring to the possibility of Al-Ghazi being discovered by law enforcement when he/she asked the question, “Are you ready in the event that they interfere akhi [brother]?”

the background when making the videos. Also, previously on February 5, 2015, Al-Ghazi informed CHS#2 that he had purchased a machete. Affiant notes there is an abundance of open source references that reveal machetes, and other types of knives, have been used by ISIL when beheading individuals and/or when making propaganda videos.

57. On March 1, 2015, CHS#1 and Al-Ghazi, while using Google+ profile "Amir Muwahid," conducted a private conversation on the Google+ website. During this conversation, Al-Ghazi stated, "I wanna make dawa videos like the bros in the uk...Lol...Learn how to make dawa vids...making vids you speaking haqq [truth]...Its YouTube you say what you want...Then get a following...Which leads to our squad...Feel me?"

58. On March 3, 2015, CHS#2 and Al-Ghazi had a conversation, where in addition to discussing his interest in purchasing an AK-47, he reiterated his intentions to make videos. Al-Ghazi stated that he intended to use the AK-47, along with a black flag as props, when making videos. Al-Ghazi indicated that both of his parents are aware of his intentions, with his mother being particularly unsupportive of him making videos. In response to her disagreement, Al-Ghazi stated that he told her that she obviously hasn't seen "any jihadi videos." Al-Ghazi revealed that while he does not intend to make "terrorist videos"¹⁸ and he does not intend to "kill anybody," he does view his videos as a form of jihad. He went on to describe himself as someone who wants to fight jihad, but is unable to do so, and making dawah videos can be considered as the next highest form according to Islam.

59. On March 4, 2015, CHS#1 and Al-Ghazi, while using Google+ profile "Amir Muwahid," conducted a private conversation on the Google+ website. During this conversation,

¹⁸ Al-Ghazi made this statement while discussing a video observed by CHS#2 that purportedly showed an individual being stabbed by multiple other individuals speaking Arabic. Al-Ghazi stated that he did not intend to make those types of videos.

Al-Ghazi again stated that he intended to make videos “in the future” and instructed CHS#1 to have “patience.”

60. On March 10, 2015, CHS#1 and Al-Ghazi, while using Google+ profile “Amir Muwahid,” conducted a private conversation on the Google+ website. During this conversation, Al-Ghazi reiterated his interest in making propaganda videos with the following statements, “As muslims we must establish a state...First step is informing the people of their deen [faith] ...Starting with us...So that's why we learn Arabic to read for ourselves...Sheihks are human jihad is obligatory so if they say no jihad but you know you must you listen to Allah not sheikh coconut feel me...Now forms of jihad differ...Dawah vids, inciting the believers to fight, wanting to go but forced to stay will also get you the blessings of jihad...So we getting the blessings just by wanting too but cuz we can't we have to stay put...So you prolly never have to kill anyone...And we don't want to kill or have war we just want to be muslims correct?”

61. On March 24, 2015, CHS#1 and Al-Ghazi, using Google+ profile “Amir Muwahid,” conducted a private conversation on the Google+ website. During this conversation, Al-Ghazi stated that he and other online supporters were changing their profile images to those commonly associated with ISIL. Al-Ghazi also stated that “the bros in Dawla said for us to keep up jihad on the internet,” “we squading up on line lol,” and “I.s. released a vid.” In response to comments from CHS#1, Al-Ghazi further stated his online “squad” would be called “Jund Ul Khilafah” or “Jund Ul dawla,” which he translated to mean “Soldiers of the State.” Al-Ghazi clarified that his online activities constitute a form of “jihad,” stating, “This is real the Mujahideen see a difference on the ground...,” “Like I say this is real...Just as real as if you had a chopper,” and “Our posts reach to btos who don’t know.”¹⁹

¹⁹ In Affiant’s experience, “chopper,” is a common slang term for an AK-47 or similarly styled assault rifle. Affiant also believes that “btos” in this context is most likely a typo, and that Al-Ghazi meant “bros.”

62. On March 26, 2015, CHS#2 and Al-Ghazi conducted a conversation, wherein Al-Ghazi discussed his online activities within the Twitter and Google+ websites. Al-Ghazi stated that he was contacted by an individual located overseas, identifying the individual as a brother “from over there,” regarding his online postings about jihad and ISIL. This individual told him to “keep up the good work” and complimented him and others for being “brothers fighting jihad behind the keyboard.” Al-Ghazi added that this individual told him that “they see the difference in us on our phones and on the internet over there in Iraq and Syria on the ground ... it’s caused a lot of Muslims to wake up.” Al-Ghazi asked this individual if he “was on the correct path,” to which this individual responded “yes” and “we are proud of y’all.” Unbeknownst to Al-Ghazi, this individual was CHS#3, who had represented to Al-Ghazi that he/she was an ISIL soldier in Mosul, Iraq.

63. After being asked by CHS#3 if he had viewed a particular ISIL video, Al-Ghazi then showed CHS#2 a video on his cellular telephone that depicted members of ISIL praising the efforts of those conducting online jihad. Al-Ghazi clarified the comments made within the video, referring to this type of activity as “cyber jihad,” which he further defined as “fighting jihad on a computer.” Al-Ghazi added that he intended to buy a camera, and stated that “it ain’t like I’m not in no danger (referring to instances of individuals being arrested).”

64. On April 5, 2015, while using Twitter profile “Abu Ahmed al Amriki,” Al-Ghazi tweeted the question, “Suggestions on what kind of digi cam to buy for first timer to Dawah videos?”

65. On April 16, 2015, CHS#2 conducted a controlled marijuana transaction with Al-Ghazi. Prior to arriving at Al-Ghazi’s residence, Affiant provided CHS#2 with three (3) laptop computers to be used as an investigative prop. Upon observing the computers, Al-Ghazi

inquired if CHS#2 could obtain additional computers, stating, “We might need. I might need one of these here. I can’t do nothing with the mother fucking K if I don’t have this.”²⁰ CHS#2 responded that he/she could obtain additional laptop computers for a price of \$125.00 USD.

66. On April 23, 2015, CHS#2 and Al-Ghazi completed a transaction for the sale of a Hewlett Packard Model 15-f033wm laptop computer (Serial Num. 5CD5066T7X) and carrying sleeve/wireless mouse.²¹

67. On April 24, 2015, CHS#2 and Al-Ghazi had a conversation, wherein Al-Ghazi indicated that he was pleased with the laptop computer provided by CHS#2 on April 23, 2015. Al-Ghazi added that he didn’t need a camera recorder and stated, “...all we need is the chopper and we in business.”

68. On April 26, 2015, while using communication application profile “abusadiq,” Al-Ghazi conducted a conversation with CHS#1. During this conversation, Al-Ghazi referred to himself and CHS#1 as “cyber jihadis.” Additionally, CHS#1 offered to assist Al-Ghazi with the production of videos, to include assistance with editing video and/or music files.

69. On April 28, 2015, while using communication application profile “abusadiq,” Al-Ghazi conducted a conversation with CHS#1. During this conversation, Al-Ghazi and CHS#1 discussed the production of videos, to include uploading them directly to a YouTube account or utilizing CHS#1 to assist with disseminating them in some other manner. Al-Ghazi also stated that he wished to provide “the voice overlay” and directed CHS#1 to then provide the “graphics” and “ayats.” [The term “ayat” translates to “verse.”] Lastly, Al-Ghazi and CHS#1

²⁰ Al-Ghazi has routinely used the term “K” when referring to his interest in purchasing an AK-47 assault rifle.

²¹ CHS#2 and Al-Ghazi originally completed a transaction for the sale of an Asus laptop computer on April 21, 2015, however it was soon determined that this computer was defective. During this interaction, Al-Ghazi again indicated that he intended to make videos with the laptop computer. On April 23, 2015, CHS#2 subsequently provided Al-Ghazi with the Hewlett Packard laptop computer and returned the defective Asus laptop computer to Affiant.

discussed the possibility of developing a YouTube channel named “Jundul Khilafah.” [The term “Jundul Khilafah” translates to the “Soldiers of the Caliphate.”]

70. On May 1, 2015, while using communication application profile “abusadiq,” Al-Ghazi conducted a conversation with CHS#3, who had represented to Al-Ghazi that he/she was an ISIL soldier in Mosul, Iraq. During this conversation, CHS#3 initiated the idea of Al-Ghazi producing ISIL videos in the English language to appeal to those located in the West. In response, Al-Ghazi stated, “Actually ahki its in the works already,” and added that his goal was to “document the rise of jihad in amrika” and “then implement chaos to facilitate a way for jihad.” CHS#3 followed by stating that after Al-Ghazi completed his videos, CHS#3 could upload them to the internet using the ISIL “media arm.” Al-Ghazi responded, “Yes in sha Allah,” and further stated that a “bro says he can edit but I want three total one a voice over inciting the believers two the bayah to our caliph three the birth of jihad in the land of the kuffar.”²²

71. On May 4, 2015, while using communication application profile “abusadiq,” Al-Ghazi conducted separate conversations with CHS#1 and CHS#3. During these conversations, Al-Ghazi confirmed that he made an “animoto” demo video.²³

²² Also during this conversation, Al-Ghazi made the statement/asked the question, “Kafir blood and wealth are lawful so stealing and robbing them is cool right? lol.” Affiant notes that Al-Ghazi has made similar comments about organizing a group of individuals whose purpose would be to burglarize the homes of the “kuffar” known to contain weapons.

²³ An open source, online query of “Animoto” revealed a company website of <https://www.animoto.com>, which appeared to be dedicated to offering free trial or pay-for-service audio/video production software applications.

Additionally, during his conversation with CHS#3 on May 4, 2015, Al-Ghazi described an incident involving a neighbor that he believed was formerly in the United States military. This individual allegedly knocked an “Islamic emblem” from Al-Ghazi’s apartment door while drunk. Al-Ghazi alleged that he in turn placed his .45 caliber pistol into the mouth of this individual. (This incident has not been corroborated.) Al-Ghazi added that his neighbor’s head “needs to come off.” During this same conversation, Al-Ghazi made the statement, “There’s a thirst in me to slaughter I believe its there for a reason.”

72. On June 4, 2015, while using communication application profile “abusadiq,” Al-Ghazi had a conversation with CHS#1 (see paragraphs 52 and 53). For this conversation, CHS#1 utilized a newly created persona indicating that he/she is a member of ISIL and is located within the Middle East. During this conversation, Al-Ghazi reiterated his intention to make propaganda videos on behalf of ISIL. Al-Ghazi added that he was in possession of a laptop and stated he was focused on “Inciting the believers” and that he wanted “revenge.”

73. On June 7, 2015, while using communication application profile “abusadiq,” Al-Ghazi had a conversation with CHS#1, who utilized the newly created persona indicating that he/she is a member of ISIL and is located within the Middle East referred to above. Additionally, CHS#1 stated that part of his role as a member of ISIL was to assist with the group’s social media efforts. CHS#1 disclosed that he/she was an administrator for the website, www.isdarat.org (an ISIL affiliated website). Thereafter, Al-Ghazi asked CHS#1 how he could assist ISIL with its social media campaign. CHS#1 inquired if Al-Ghazi was willing “to be one of our daawah social media freelancers?” and followed by asking, “Can you produce short videos?” In response, Al-Ghazi stated “Yes,” and “Oh yes of what sort.” Al-Ghazi also asked what he needed and indicated that he had a laptop. CHS#1 replied that ISIL was interested in any “short video making a call for Muslims in America to stand for dawlah and join.” Al-Ghazi then inquired if CHS#1 could assist with editing, to which CHS#1 responded affirmatively. Aside from the above statements, Al-Ghazi also professed his continued interest in conducting acts of violence against non-Muslims. Specifically, Al-Ghazi stated, “I have a confession tho I want to kill these kuffar bad... When sheikh adnani said we have lions who feed on blood and carnage.” Al-Ghazi also explained, “Its mindboggling once your eyes have been opened you see it,” and “You don’t fear death anymore its like walking thru a door for a martyr u know.”

74. On June 8, 2015, while using communication application profile “abusadiq,” Al-Ghazi had a conversation with CHS#1. For this conversation, CHS#1 again utilized the same persona referenced above in paragraphs 72 and 73, and further stated that part of his role as a member of ISIL was to assist with the group’s social media efforts. During this conversation, Al-Ghazi reiterated his interest in making videos and stated that he intended to purchase a video camera. Al-Ghazi added he had subject matter ideas for videos, but would require assistance with production. At the request of CHS#1, Al-Ghazi disclosed the ideas to be videos depicting ISIL members “capturing trucks,” “hitting the oil pipeline,” and conducting “drive bys on cops.” Al-Ghazi then acknowledged that presently, he would need “to be a beacon for the Mujahid here.”

75. During this same conversation, CHS#1 informed Al-Ghazi that he had been directed by his “Amir” [commander] to “keep following” Al-Ghazi. Al-Ghazi responded, “Yes please keep me close,” and thereafter both discussed the making of videos (as referenced in paragraph 71). Al-Ghazi stated that he has a “basic idea,” after which CHS#1 directed that Al-Ghazi provide details so that CHS#1 could then translate and share with his “Amir” for approval. Al-Ghazi stated that he wanted to make a video that discussed how “muslims in america have been tricked by the false hadith about jihad of nafs.”²⁴ Al-Ghazi added that he was formulating a speech, searching for a location to set up a camera, and stated “...in sha Allah my Ak will be here by then.” CHS#1 stated that Al-Ghazi’s video idea was “on the right track” and further directed Al-Ghazi to add material aimed at gaining support from the “Muslims in America” for ISIL and making “bayah to our new Amir al-mu’mieen” (a reference to Abu Bakr al-Baghdadi;

²⁴ Al-Ghazi has repeatedly made statements indicating that he believes “jihad of one’s nafs” is a fabricated hadith. Al-Ghazi has stated that he believes mosques in the United States characterize jihad as referring to struggling with one’s self as a means to dissuade others from conducting jihad, which he believes is fighting in the cause of Allah.

see footnote 16). In response, Al-Ghazi stated, “Yes I intend to. That is the crux of it all.” Lastly, CHS#1 stated that video footage from Al-Ghazi was not immediately necessary (to gain approval), instead stating that “audio will be sufficient.” Al-Ghazi confirmed his understanding of CHS#1’s direction by responding, “Sounds good.” [The term “jihad of nafs” translates to “struggling or resisting with one’s temptations.”]

76. During this same conversation, Al-Ghazi and CHS#1 discussed the operational impact of the above referenced videos. CHS#1 stated that Al-Ghazi’s video would serve as a spark for Muslims to act, which would lead to the United States falling in “a matter of days.” In response, Al-Ghazi stated, “Yes the infrastructure us weak...is...Ghanima is everywhere...Alhamdulillah shahada is also close here...We need istihadis...That’s the key.”²⁵ Thereafter, CHS#1 again directed Al-Ghazi to obtain the blessing from ISIL prior to taking any action to which Al-Ghazi agreed. [The term “Shahada” translates to a “profession or testimony of the oneness of Allah,” the term “Ghanima” translates to “war booty.”]

77. On June 11, 2015, while using communication application profile “abusadiq,” Al-Ghazi sent a message to a previous persona utilized by CHS#1 (see paragraph 68). The message stated, “You still with me? Hold tight I’ll contact you soon things are looking up.”

78. On the same date, while using communication application profile “abusadiq,” Al-Ghazi had a conversation with CHS#1. For this conversation, CHS#1 utilized the same persona as referenced in paragraph 71. CHS#1 provided Al-Ghazi with a YouTube link to a video which was purportedly released by ISIL. Additionally, CHS#1 indicated that the “Amir” asked about

²⁵ As stated, the term “Shahada” can translate to a “profession or testimony of the oneness of Allah.” However, this term is also used by Islamic extremists in the conduct of martyrdom operations. In this context, these individuals believe that a martyrdom operation is an ultimate profession of faith or testimony to the oneness of Allah. Based upon Al-Ghazi’s statement of “We need istihadis” (see footnote 17 for meaning of “ishtihadi”), Affiant believes that Al-Ghazi was referring to his belief that martyrdom operations will soon be conducted in the United States when making the statement, “Alhamdulillah shahada is also close here.”

the status of Al-Ghazi's video. Al-Ghazi indicated that he had already made two videos: "I scrapped two already wasn't happy with it, but I don't know how to get them to you. the site is in arabic." Thereafter, CHS#1 directed Al-Ghazi to utilize Google Drive or YouTube to share the video. CHS#1 further directed Al-Ghazi to keep the video file private (if he were to utilize YouTube) until it has been approved by the "Amir," to which Al-Ghazi responded, "Ok."

79. Later on the same date, while using communication application profile "abusadiq," Al-Ghazi had another conversation with CHS#1. Al-Ghazi initiated this conversation by providing CHS#1 with a YouTube link (<https://youtu.be/SEtXEiRLNg4>). Thereafter, Al-Ghazi confirmed the file was a recording of himself and requested that CHS#1 review the contents and edit as necessary. Per the direction of CHS#1, Al-Ghazi designated the file as "unlisted" within YouTube (which only allows other users with the "unlisted link" to access the file) and stated, "There all be more I'll get better." Affiant subsequently reviewed the file, which consisted of an audio file lasting 02:07 minutes in duration. The voice on the audio file, which is known to Affiant to be that of Al-Ghazi, addressed his intended audience as "My brothers here in America." Al-Ghazi makes statements regarding the establishment of the Caliphate, the oppression and aggression of the American regime against Muslims, and the false hadith regarding jihad of the nafs (see paragraph 74; footnote 25). Al-Ghazi added that all Muslims should embrace the Khilafah (also referred to as the Caliphate) and that a refusal of Muslims to give "bayah" and separate from the "jamaat" would establish them as "kuffar."²⁶ Lastly, Al-Ghazi urged Muslims "not to take medicine" from their enemies. After reviewing the

²⁶ Within this context "separating from the jamaat" is a likely reference to separating from true Sunnism. ISIL believes that its members/followers represent the only true Sunni Muslim sect, and thus all others are categorized as "kuffar."

audio file, CHS#1 praised Al-Ghazi for his efforts and stated that the file would be translated and provided to the “Amir” for approval prior to further dissemination.

VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 922(g)(1)

80. Title 18, United States Code, Section 922(g)(1) states: “It shall be unlawful for any person – who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year – to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.”

81. Al-Ghazi’s criminal convictions include the following offenses punishable by more than one year in prison:

- a.) Trafficking Offenses (F4); Cuyahoga County Court of Common Pleas; Case Number CR-10-537372-A; on or about July 22, 2010;
- b.) Trafficking Offenses (F4), Having Weapons While Under Disability (F3), Trafficking Offenses with Firearms Specification (F3); Cuyahoga County Court of Common Pleas; Case Number CR-09-532061-B; on or about July 22, 2010;
- c.) Attempted Having Weapons While Under Disability (F4); Cuyahoga County Court of Common Pleas; Case Number CR-09-527760; on or about July 22, 2010;
- d.) Weapons Under Disability (F3); Cuyahoga County Court of Common Pleas; Case Number CR-05-474264-B; on or about June 13, 2006; and
- e.) Drug Abuse (F4); Cuyahoga County Court of Common Pleas; Case Number CR-96-339383-ZA; on or about November 20, 1996.

82. On January 29, 2015, Al-Ghazi informed CHS#2 that he intended to purchase an AK-47 rifle from an unknown individual located in the greater Cleveland, Ohio area.

83. On February 5, 2015, Al-Ghazi informed CHS#2 that he had not yet purchased the AK-47. During this conversation, Al-Ghazi also informed CHS#2 that he did not intend to kill anyone once obtaining the AK-47. However, Al-Ghazi then stated, "I said, uh, if they come to my house for whatever reason. I'm not hidin' by a long shot... You know what I mean? But if like maybe they track the phone. I don't know. You know what I mean?...But if they come...I'll go down for it... Yeah. I'll go down for it."²⁷

84. On February 12, 2015, CHS#2 observed Al-Ghazi to be wearing a concealment t-shirt, the type of which is typically used to conceal a handgun in the underarm region of an individual. On the same date, Al-Ghazi informed CHS#2 that he was in possession of a "compact DS .45" pistol, and intended to purchase another pistol.²⁸ Additionally, Al-Ghazi reiterated his intention to purchase an AK-47 assault rifle.

85. On February 22, 2015, CHS#2 learned from Al-Ghazi that Al-Ghazi attempted to purchase an AK-47 assault rifle from a Cleveland-based individual. Al-Ghazi met the individual at an undisclosed garage in Cleveland to conduct the transaction. Al-Ghazi became aware of this individual from a family member. According to Al-Ghazi, the individual attempted to present him with transfer paperwork and inquired about his felony criminal history. Al-Ghazi disclosed that he has multiple felony convictions, after which the individual refused to complete the sale.

86. On February 27, 2015, CHS#2 and Al-Ghazi again discussed his failed attempt to purchase an AK-47 assault rifle. Al-Ghazi indicated that it was his brother who attempted to assist him with purchasing the weapon from the individual referenced above. Based upon

²⁷ Based upon the context of Al-Ghazi's statement, it is reasonable to assess that he is referring to law enforcement when using the term "they."

²⁸ Affiant conducted an open source internet search of the phrase "compact DS.45 pistol." The results revealed the existence of a compact .45 caliber pistol manufactured by Taurus, specifically referred to as a Taurus pro DS .45 acp pistol. An open source internet query of Taurus USA Firearms did not reveal any manufacturing facilities located within the State of Ohio.

previous instruction from Affiant, CHS#2 indicated that he knew of an individual who had access to AK-47s and could likely obtain one for Al-Ghazi at a cheaper price. CHS#2 emphasized that he did not want to proceed unless Al-Ghazi was certain that he wanted to purchase the weapon. In response, Al-Ghazi stated that he wanted the AK-47 and requested that CHS#2 determine the price.

87. On March 3, 2015, CHS#2 and Al-Ghazi had a conversation, wherein Al-Ghazi confirmed that he was still in possession of a .45 caliber pistol. Based upon previous instruction from Affiant, CHS#2 informed Al-Ghazi that his contact was able to obtain AK-47 assault rifles. Al-Ghazi inquired about the prices of the weapons, to which CHS#2 responded \$500.00-\$1000.00 USD. Al-Ghazi then inquired if CHS#2's contact had access to a "wood one," stating that he wanted an AK-47 like the type in the videos "with the wood on it."

88. On March 16, 2015, CHS#2 and Al-Ghazi had a conversation, wherein Al-Ghazi confirmed that he still intended to purchase an AK-47 from the contact of CHS#2. Al-Ghazi also confirmed that he wanted an AK-47 that was "wood" with a "metal handle."

89. On March 26, 2015, CHS#2 and Al-Ghazi had a conversation, wherein Al-Ghazi acknowledged that law enforcement could possibly arrest him for his online activity. Al-Ghazi stated that since he has legally changed his name, a Google search of his name would reveal his statements that were made on Twitter. CHS#2 inquired if Al-Ghazi was afraid to go jail, and if he was concerned about the possibility of additional charges due to his possession of a firearm at his residence. Al-Ghazi stated that that he was not concerned and that he intended "to follow Islamic law...so fuck them." Al-Ghazi added that if law enforcement "kicked in" his door, he

wasn't certain if he "wouldn't pull the trigger" and stated "I don't know in that instance...do you Allahu Akbar and make it happen...I don't know..."²⁹

90. On April 2, 2015 and April 9, 2015, Al-Ghazi again confirmed his interest in purchasing the AK-47 from CHS#2's contact. On both dates, Al-Ghazi asked CHS#2 to inquire if the supplier would also sell him "rounds" or "bullets."

91. On April 16, 2015, Al-Ghazi once again confirmed his interest in purchasing an AK-47 from CHS#2's contact. During this conversation, Al-Ghazi also indicated that his "daddy" inquired if CHS#2 could obtain additional weapons.

92. On May 4, 2015, while using communication application profile "abusadiq," Al-Ghazi made a statement referring to putting "a 45in his mouth," which your Affiant believes is a reference to the .45 caliber pistol Al-Ghazi previously admitted possessing.

93. On May 7, 2015 and May 14, 2015, Al-Ghazi once again confirmed his interest in purchasing an AK-47.

94. On June 8, 2015, while using communication application profile "abusadiq," Al-Ghazi conducted a conversation with CHS#3, who had represented to Al-Ghazi that he/she was an ISIL soldier in Mosul, Iraq. During this conversation, CHS#3 asked if Al-Ghazi was "ready in the event that they interfere akhi?" Al-Ghazi responded with the statement, "I gotta 45 if that's what u mean lol." Your Affiant believes the reference to a "45" is a reference to the same .45 caliber handgun Al-Ghazi previously told CHS#2 he possessed.

95. On June 17, 2015, while using communication application profile "abusadiq," Al-Ghazi conducted a conversation with CHS#3, who had represented to Al-Ghazi that he/she was an ISIL soldier in Mosul, Iraq. During this conversation, Al-Ghazi confirmed that he was in

²⁹ While making this statement, Al-Ghazi appeared to raise his right arm in front of his body, possibly to illustrate the act of discharging a firearm at law enforcement.

possession of a .45 caliber pistol and indicated that he would soon be in possession of an AK-47 assault rifle. Specifically, Al-Ghazi stated, "If I receive this ak47 soon any suggestions?" CHS#3 replied, "InshaAllah, hide the gun when you get it akhi. Don't flaunt or even talk about it, period." In response, Al-Ghazi stated, "Oh I know I have a 45 already".

96. On June 19, 2015, Al-Ghazi conducted a controlled purchase of an AK-47 assault rifle from an FBI Undercover Employee (UCE). During this transaction, Al-Ghazi was observed to pay to the UCE the sum of \$400.00 USD and take possession of the AK-47. On that same date, a search warrant was executed at Al-Ghazi's residence. During that search, a .45 caliber, Taurus handgun was recovered, along with other items such as a sword and an ISIL flag.

VIOLATION OF TITLE 21, UNITED STATES CODE, SECTIONS 841(a)(1) AND (b)(1)(D)

97. Title 21, United States Code, Section 841(a)(1) states: "it shall be unlawful for any person knowingly or intentionally – to manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, a controlled substance." Marijuana is a Schedule I controlled substance.

98. During the period of February of 2014 through June of 2015, CHS#2 has conducted twenty four (24) controlled marijuana transactions from Al-Ghazi. All of these transactions, with the exception of the one on June 4, 2015, have occurred in the parking lot of Al-Ghazi's residence, 5220 East Lake Road, Sheffield Lake, Ohio 44054. On several occasions, Al-Ghazi was observed coming directly from his apartment to meet with CHS#2 and deliver the marijuana. To date, these transactions have yielded a total package weight of 1954.99 grams (1.95499 kilograms). Each of these transactions were conducted using the following procedures: CHS#2 was searched prior to each transaction and determined to be free of drugs, money, weapons, or contraband; CHS#2 or the vehicle he was using were outfitted with audio and video

recording devices; CHS#2 was provided with money to purchase the marijuana; agents maintained physical and audio surveillance during the transactions; after the transactions CHS#2 returned with the purchased marijuana, which was turned over to agents; CHS#2 was searched again for drugs, money, weapons, or contraband; CHS#2 was debriefed after each transaction; and Affiant reviewed the recordings of each transaction. Affiant has observed and smelled the marijuana purchased from Al-Ghazi and based on Affiant's training and experience in identifying controlled substances, Affiant believes the substances sold by Al-Ghazi to be marijuana.³⁰

99. During at least one transaction, on March 6, 2014, Al-Ghazi obtained some of the marijuana he sold from his residence during the transaction. On that occasion, CHS#2 initially purchased two ounces of marijuana, which Al-Ghazi provided in the parking lot of his apartment building. CHS#2 then requested to purchase an additional ounce of marijuana. Al-Ghazi agreed to sell the additional ounce and went into his apartment to obtain the additional ounce of marijuana. A short time later Al-Ghazi returned with the marijuana and provided it to CHS#2.

100. The most recent purchase that occurred at the residence of Al-Ghazi was on June 12, 2015. On that occasion, CHS#2 arranged to purchase two ounces of marijuana for \$200.00. The purchase took place in CHS#2's vehicle in the parking lot of Al-Ghazi's apartment building. Immediately prior to meeting CHS#2, Al-Ghazi was observed leaving his apartment building and then entering CHS#2's vehicle. When Al-Ghazi entered CHS#2's vehicle, he provided the marijuana to CHS#2, and CHS#2 provided him the money. Affiant has reviewed the video

³⁰ On April 15, 2015, the Ohio Bureau of Criminal Investigation and Identification (BCI) provided Affiant with a laboratory report authenticating samples of the first seventeen (17) marijuana purchases. Within the report, BCI confirmed that each sample contained marijuana.

recording of this transaction and identified Al-Ghazi as the individual providing the marijuana to CHS#2.

CONCLUSION

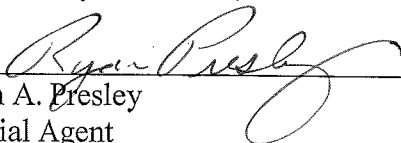
101. Based upon the above statements of fact, your Affiant believes there is probable cause to show Al-Ghazi has attempted to provide material support to a Designated Foreign Terrorist Organization, The Islamic State of Iraq and the Levant (ISIL), in violation of Title 18, United States Code Section 2339B(a)(1), by attempting to provide services to ISIL. Specifically, from July of 2014 through June of 2015, Al-Ghazi (1) repeatedly pledged his allegiance to Caliph Abu Bakr Al-Baghdadi and/or ISIL, (2) made multiple online statements through his social media profiles for the purpose of inciting others to commit violent jihad in the United States and/or recruiting others to join ISIL, (3) expressed his desire to commit terrorist attacks in the United States, (4) attempted to purchase an AK-47 assault rifle, (5) has communicated with two individuals Al-Ghazi believes to be members of ISIL in the Middle East; and (6) has taken substantial steps towards creating ISIL propaganda videos with the approval and at the direction of an individual Al-Ghazi believes to be a member of ISIL, which he then intended to disseminate through the internet. Further, based on your Affiant's training and experience, your Affiant knows that ISIL uses social media and the internet, including the use of propaganda videos posted online, to recruit new members and attempt to gain support. Based on the communications between Al-Ghazi and the individuals Al-Ghazi believes to be members of ISIL in Iraq and Al-Ghazi's description of those communications to other confidential human sources, as described above, your Affiant believes that creating propaganda

videos such as the ones Al-Ghazi is attempting to create and post online is attempting to provide a service to ISIL.

102. Based upon the above statements of fact, your Affiant further believes there is probable cause to show Al-Ghazi is a convicted felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1), Felon in Possession of a Firearm. Specifically, Al-Ghazi is a multi-convicted felon and has made multiple repeated statements to CHS#2 that he is in possession of a .45 caliber handgun. Based on the description of the handgun provided by Al-Ghazi, your Affiant believes it was not manufactured in the State of Ohio. On June 19, 2015, Al-Ghazi purchased and took possession of an AK-47 assault rifle from a UCE, and a Taurus .45 caliber handgun was recovered from Al-Ghazi's residence.

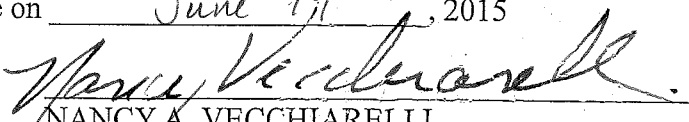
103. Lastly, based upon the above statements of fact, your Affiant believes there is probable cause to show Al-Ghazi has distributed marijuana, a Schedule I controlled substance, in violation Title 21, United States Code, Sections 841(a)(1) and (b)(1)(D), Distribution of Controlled Substances. Specifically, during the period of February of 2014 through June of 2015, Al-Ghazi has sold a total of approximately 1.95499 kilograms of marijuana to CHS#2 on 24 different occasions.

Respectfully Submitted,



Ryan A. Presley
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on June 19, 2015



NANCY A. VECCHIARELLI
UNITED STATES MAGISTRATE JUDGE
NORTHERN DISTRICT OF OHIO

DATE: 19 June 2015