

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

In the Matter of the Search

(Name, address or brief description of person or property to be searched)

2000 Toyota Camry bearing Florida license X50-UJY, VIN 4T1BG22K1YU708840, currently in the custody of the Berkeley County Sheriff's Office, Berkeley County, South Carolina.

APPLICATION AND AFFIDAVIT
FOR SEARCH AND SEIZURE WARRANT

CASE NUMBER:

2:07-1167

I, Daniel J. McTavish, being duly sworn depose and say:

I am a Special Agent for the Federal Bureau of Investigation and have reason to believe

that on the premises known as (name, description, and/or location)

2000 Toyota Camry bearing Florida license X50-UJY, VIN 4T1BG22K1YU708840, currently in the custody of the Berkeley County Sheriff's Office, Berkeley County, South Carolina.

in the District of South Carolina, there is now concealed a certain person or property, namely (describe the person or property)

SEE ATTACHMENT "A", which is attached hereto and incorporated herein by reference

which is (give alleged grounds for search and seizure under Rule 41(c) of the Federal Rules of Criminal Procedure)

evidence of the crime and instruments of the crime, in violation of Title 18, United States Code, Section(s) 371, 842(p), and 842(a)(3)(A)

The facts to support the issuance of a Search Warrant are as follows:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof. [X] Yes [ ] No

Signature of Affiant: Daniel J. McTavish

Sworn to before me, and subscribed in my presence

Date: September 17, 2007

at Charleston, South Carolina
City and State

Robert S. Carr, United States Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer: Robert S. Carr

AFFIDAVIT

1  
2 I, Daniel J. McTavish, Special Agent with the Federal Bureau of  
3 Investigation (FBI), assigned to the Charleston, South Carolina Resident Agency, being  
4 duly sworn, depose and state as follows:

5 I have been a Special Agent with the FBI for 11 years. This affidavit is  
6 based on information provided to your affiant by other federal, state, and local law  
7 enforcement personnel involved in this investigation, and from my personal investigation,  
8 training, and experience as a Special Agent of the FBI. Since this affidavit is being  
9 submitted for the limited purpose of securing a search warrant, your affiant has not included  
10 each and every fact known to him concerning this investigation, but only those facts he  
11 believes are necessary to establish probable cause to believe that evidence of violation of 18  
12 U.S.C. Sections 371 (conspiracy), 842 (p) (distribution of information relating to  
13 explosives, destructive devices, and weapons of mass destruction) and 842(a)(3)(A)  
14 (unlawful shipping and transportation of explosive materials) exists inside of a 2000 Toyota  
15 Camry, Florida license plate number X50-UJY, currently in the custody of the Berkeley  
16 County Sheriff's Office, Berkeley County, South Carolina. This affidavit is also submitted  
17 for the purpose of providing probable cause to seize the described vehicle as property used  
18 in committing a crime pursuant to Rule 41(c)(3) of the Federal Rules of Criminal  
19 Procedure.

20 This investigation began after a traffic stop of a Toyota Camry bearing  
21 Florida license X50-UJY and VIN number 4T1BG22K1YU708840 by a Berkeley County,  
22 South Carolina Sheriff's Officer on August 4, 2007, at 5:35 p.m. for exceeding the speed  
23 limit. The vehicle was driven by AHMED ABDELLATIF SHERIF MOHAMED  
24 ("MOHAMED"). The sole passenger in the vehicle was YOUSSEF SAMIR MEGAHED  
25 ("MEGAHED"). The traffic stop occurred on State Highway 176 in Goose Creek, South  
26 Carolina. When a Berkeley County Sheriff's officer approached the vehicle, he observed  
27 one of the occupants disconnecting wires from a laptop computer. The occupants provided  
28 the officer with an inconsistent explanation of their day's activities. The vehicle in which

1 MOHAMED and MEGAHED were traveling was registered to Yahia Meghahed, the  
2 brother of MEGAHED.

3 A consensual search of the vehicle resulted in the discovery of the following  
4 items in the trunk of the car: a drill, four (4) PVC pipes containing a mixture of potassium  
5 nitrate, kitty litter, and a sugar substance; a package containing 20 feet of safety fuse cord; a  
6 five-gallon gasoline container three-quarters full of gasoline; and a box containing .22  
7 caliber bullets. Concerned that the material in the trunk was of a hazardous and dangerous  
8 nature, local bomb and hazardous material experts came to the scene to remove the material  
9 and render it safe. A subsequent examination by FBI Explosives Unit examiners  
10 determined that the contents of the PVC pipes were energetic materials which, under certain  
11 circumstances, would burn or potentially detonate. The examiners at the FBI Explosives  
12 Unit have stated that these PVC components contained materials that constitute a  
13 "potassium nitrate explosive mixture." That mixture fits the definition of an "explosive"  
14 under the terms of 18 U.S.C. § 841(d).

15 MOHAMED and MEGAHED were advised of their Miranda rights. During  
16 an interview of MOHAMED, he stated the laptop computer in the vehicle was his.  
17 MOHAMED gave the FBI written consent to search the computer. An image of the  
18 computer's hard drive was made by FBI personnel. FBI Special Agents and other personnel  
19 reviewed the data on the hard drive. Located on the hard drive, among other things, was a  
20 folder entitled, "Bomb Shock," which contained several files of information on explosives,  
21 explosive ingredients, and downloads from web sites dedicated to the subject of explosives  
22 and explosive matters. Included in the data reviewed was a file entitled, "High-Order  
23 Explosives," which included extensive information on the composition and operation of  
24 explosives including TNT and C-4.

25 A review of the laptop's hard drive also revealed a 12 minute video in  
26 Arabic language of a male individual with an Egyptian accent who was wearing a white  
27 shirt and khaki pants with rubber gloves on his hands. In the recording, he shows how a  
28 remote-control toy vehicle is constructed and operated, and gives instructions as to the

1 range and distance the remote will operate and the radio frequency on which the vehicle  
2 operates. The narrator explains how to convert the vehicle into a detonator. A detonator is  
3 a component in a bomb. The demonstrator also mentions, "then the toy which I used in the  
4 same circuit was the electric boat."

5           In this video found on MOHAMED'S laptop computer, the male speaks in  
6 Arabic as he disassembles a remote-controlled toy car. The male's face is not shown;  
7 however, the voice is consistent with that of an Egyptian male. Passport records reflect that  
8 MOHAMED is an Egyptian male. Law enforcement agents later interviewed MOHAMED  
9 and he acknowledged that he made the videotape himself and that he was the person who  
10 narrated it. He explained that he had made the tape to assist those persons in Arabic  
11 countries to defend themselves against the infidels invading their countries. He considered  
12 American troops, and those military forces fighting with the American military, to be  
13 invaders of Arab countries. He added that the technology which he demonstrated in the  
14 tape was to be used against those who fought for the United States.

15           Records on the hard drive of the computer indicate that someone using that  
16 computer uploaded this video to a website known as "YouTube," a website for sharing and  
17 viewing videos. Additional records on the hard drive show that on July 31, 2007, someone  
18 using MOHAMED'S computer provided the following search words to link viewers to this  
19 video: "detonator from a distance" and "remote control ignitor fireworks radio wireless  
20 converting toy explosives rockets controlled car martyrdooms (sic) suiciders."

21           Further review of the hard drive also revealed many text searches performed  
22 by someone using MOHAMED'S computer related to explosives.

23           On August 6, 2007, consent was obtained from MEGAHED'S father to  
24 search his home at 4959 Anniston Circle, Tampa, Florida. MEGAHED'S father advised  
25 that he owned the home and that his son, YOUSSEF MEGAHED, resided at the house.  
26 Agents who searched the home discovered a toy remote control boat, still in its box, and a  
27 partially dismantled digital watch. Digital watches have often been used in the past as  
28 timing devices for homemade bombs.

1                   While being transported from the location of the traffic stop to a detention  
2 facility in Berkeley County, South Carolina, a recording device, unknown to MOHAMED  
3 and MEGAHED, captured a conversation in Arabic between the subjects. Translation of the  
4 conversation by a FBI linguist revealed that during the covertly recorded conversation,  
5 MEGAHED was curious as to what MOHAMED had told law enforcement agents and  
6 MOHAMED indicated that he had told "them that I didn't know what was in them. I don't  
7 know." MOHAMED then asked MEGAHED, "Did you tell them there is something in  
8 them?" MEGAHED replied, "Water," to which MOHAMED replied, "Water! Right? The  
9 black water is in the Pepsi." A few seconds later, MOHAMED said, "What?" and  
10 MEGAHED responded, "Did you tell them about the benzene [gasoline]?" In response,  
11 MOHAMED said, "I have nothing to do with it. I do the fireworks and so..so...so...that is  
12 it." Later, MOHAMED stated that he didn't know exactly what was in the car and said the  
13 car was not his. The two occupants of the Toyota Camry also talked about the gasoline in  
14 the trunk of the car. MEGAHED stated to MOHAMED that he had "told him [law  
15 enforcement] that we got the gas for the cars..." and MOHAMED responded,  
16 "Yes...exactly."

17                   Inside of the Toyota Camry, Florida license plate X50-UJY, South Carolina  
18 law enforcement agents found other related items including a container with an additional  
19 quantity of a potassium nitrate explosive mixture. An FBI Explosives Unit analyst has  
20 indicated that the fuse itself also meets the definition of "explosives" as set forth in 18  
21 U.S.C. § 841(d) in that it consists of an item that is included in the Attorney General's most  
22 recent annual listing of explosives which he issued under the authority of that same statute.  
23 Subsequent investigation in the Tampa Bay area revealed that many of the items which were  
24 components of the sections of PVC pipe which law enforcement agents in South Carolina  
25 found inside of the Toyota Camry were purchased in local retail stores in the Middle District  
26 of Florida. Further investigation by law enforcement agents in Tampa revealed that neither  
27 MOHAMED nor MEGAHED had applied for or obtained a valid license under the  
28 provisions of Chapter 40 of Title 18 of the United States Code to transport or ship

1 explosives or explosive materials.

2           On or about September 6, 2007, local authorities in South Carolina dismissed  
3 state criminal charges against both MOHAMED and MEGAHED. Those charges related to  
4 their possession of the contents found in the Toyota Camry that they were riding in on  
5 August 4, 2007. An indictment in the United States District Court for the Middle District of  
6 Florida was returned by a federal grand jury on August 29, 2007. That indictment charged  
7 both MOHAMED and MEGAHED with violating 18 U.S.C. § 842(a)(3)(A) with respect to  
8 their transportation of "explosive materials" inside of the Toyota Camry from a location in  
9 Tampa, Florida, to South Carolina. The indictment also charged MOHAMED with  
10 violating 18 U.S.C. § 842(p) with respect to the creation and distribution of the videotape  
11 described above.

12           Law enforcement agents have obtained samples of the hair, fingerprints, and  
13 DNA of both MOHAMED and MEGAHED and wish to process the Toyota Camry for  
14 evidence that will match those samples. FBI agents also wish to comb the contents of all  
15 areas of the Toyota Camry for evidence of residue of explosive materials or other prohibited  
16 substances. The recovery of residues or other prohibited substances from the entire interior  
17 of the vehicle will assist in the investigation of the location of prohibited items and the  
18 defendants' knowledge of those items.

19           Your affiant submits that there is thus probable cause to believe that evidence  
20 relating to violations of 18 U.S.C. § 842(a)(3)(A) and 842(p) may be contained within the  
21 interior of a Toyota Camry, Florida license number X50-UJY, VIN 4T1BG22K1YU708840,  
22 currently in the custody of the Berkeley County Sheriff's Office, Berkeley County, South  
23 Carolina. The recovery of any of the items described in Attachment A, attached hereto and  
24 incorporated herein by reference, would constitute evidence of criminal activity.

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Based upon the aforementioned, your affiant requests that a search warrant be issued authorizing the search and seizure of the vehicle described above and requests the authority to search for and seize the items set forth in Attachment A.

ATTACHMENT A

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1. Residue of chemicals, mixtures, substances, and other items, including, but not limited to, explosives and explosive materials, and the components of such items;
2. Fingerprints and palm prints;
3. Samples of human hair and DNA for evidence analysis;
4. Remnants of remote controlled toys and the component parts of remote controlled toys and the packaging for said toys;
5. Kitty litter;
6. PVC pipes and other PVC components and shavings;
7. Pieces of wire, piping, solder, and soldering;
8. Evidence of sugar and/or Karo syrup remnants;
9. Components of timers and/or digital watches;
10. Fuses and fuse materials and components;
11. Chemicals or chemical residue;
12. Black powder or its residue;
13. Pyrodex or its residue.