



# The United States Attorney's Office

## Southern District of Texas

### News Release

September 14, 2007

#### **PAKISTANI STUDENT SENTENCED FOR UNLAWFULLY POSSESSING FIREARM**

(HOUSTON, Texas) – Syed Maaz Shah, 20, a Pakistani national in the United States on a student visa, was sentenced today for two counts of unlawful possession of a firearm, United States Attorney Don DeGabrielle announced today.

Convicted by a Houston jury in approximately one hour following the three-day trial before United States District Judge Melinda Harmon in May 2007, Shah was sentenced to serve 78 months in prison to be followed by three years of supervised release. In arriving at this sentence, Harmon upwardly departed from the 21 to 27 month sentence Shah faced under the United States sentencing guidelines. Shah will likely be deported from the United States upon completion of his prison term. Shah has been in federal custody since his arrest in November 2006.

“This case demonstrates the United States’ continued efforts to detect, disrupt and dismantle groups of individuals contemplating and training with an eye toward jeopardizing our national security,” DeGabrielle stated.

During the trial, the United States introduced photographs of Shah holding and firing an Armalite M-15, .223 caliber semi-automatic rifle during firearms training sessions held over the weekends of Jan. 13 and March 10, 2006, on private property located near Willis, Texas. Through the testimony of an Immigration and Customs Enforcement (ICE) agent, the United States proved that Shah, a citizen of Pakistan, last entered the United States in August 2005 as an F-1 student visa holder. Given Shah’s status as a non-immigrant student visa holder, Shah is prohibited by federal law from possessing a firearm. A special agent of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE) further related that the Armalite M-15 possessed by Shah in January and March 2006 was operable and manufactured in Illinois and thus, traveled in interstate commerce.



In finding the defendant guilty, the jury rejected Shah's claim that undercover officials working with the Houston Joint Terrorism Task Force impermissibly entrapped Shah. In arguing Shah was not entrapped, but rather, was predisposed to commit the firearms violations, the United States presented evidence that at the time of Shah's arrest Nov. 28, 2006, Shah orally confessed he had an interest in weapons and had engaged in the firearms training weekends to prepare for "what may come." Shah went on to state that he viewed American forces in Iraq as "invaders" and felt it was his duty to prepare for "Jihad," described during the trial as armed combat. The United States also presented evidence showing Shah had literature regarding Jihad on his computer, seized by FBI personnel at the time of Shah's arrest.

During Shah's testimony, he claimed he did not give an oral confession to the FBI, that many people had access to his laptop computer and that he went to Willis "to fish" on Jan. 13-14 and March 10-11, 2006. In fact, Shah denied knowing that firearms training would occur over the January weekend.

The United States offered multiple recordings made by an undercover police official which demonstrated Shah's interest and knowledge that the January and March weekends would focus on military-style firearms and combat training. One of the recordings revealed Shah had paid \$30 for ammunition prior to engaging in the military-style combat training and target practice Jan. 14, 2006. The recordings further revealed Shah and his companions, which included Houston residents Kobie Williams and Adnan Mirza, attended the second training session in March 2006, again for the purpose of participating in military-style training.

Williams pleaded guilty Nov. 28, 2006, to conspiracy charges relating to funds earmarked for the Taliban and related firearms offenses. Williams is scheduled for sentencing Oct. 12, 2007. Mirza, also charged with conspiracy and firearms offenses, is scheduled for trial Oct. 29, 2007. A related defendant, Shiraz Syed Qazi, a nonimmigrant F-1 student visa holder who also attended the Willis firearms training camp, was sentenced May 17, 2007, to 10 months incarceration for his unlawful possession of a firearm.

The investigation was led by the FBI and the agency's Joint Terrorism Task Force with participation by ATFE, ICE, the Houston Police Department and the Texas Department of Public Safety. Assistant United States Attorneys Shelley J. Hicks and Glenn Cook prosecuted the case.

###