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SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

August 2001 Grand Jury

11	UNITED STATES OF AMERICA,	)	Criminal Case No. <u>01CR3240-W</u>
)	
12	Plaintiff,	)	<u>I N D I C T M E N T</u>
		)	(Superseding)
13	v.)	
		)	Title 18, U.S.C., Sec. 371;
14	AL-MOHDAR MOHAMED	)	Conspiracy; Title 18, U.S.C.,
	AL-MOHDAR ZEID (1),	)	Sec. 1546 - False Statement
15	aka Mohdar Mohamed Abdullah,	)	in Immigration Application;
	ABDULLAHI JAMA AMIR (2),	)	Title 18, U.S.C., Sec. 1001 -
16	ALI SAID DAWALEH (3),	)	False Statements; Title 18,
	AHMED SHARIF ALIWE (4);	)	U.S.C., Sec. 2 - Aiding and
17		)	Abetting
	Defendants.)	
18)	

The grand jury charges:

Count 1

Beginning at a date unknown to the grand jury and continuing up to and including July 24, 2001, within the Southern District of California, and elsewhere, defendants AL-MOHDAR MOHAMED AL-MOHDAR ZEID aka Mohdar Mohamed Abdullah, ABDULLAHI JAMA AMIR, ALI SAID DAWALEH, and AHMED SHARIF ALIWE, did knowingly and willfully combine, conspire, and agree together and with each other and with other persons unknown to the grand jury to knowingly commit offenses against the United

MGW:cks:San Diego
6/27/02

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1 States, namely, to make false statements in immigration documents, in
2 violation of Title 18, United States Code, Section 1546, and to make
3 false statements to the Immigration and Naturalization Service, in
4 violation of Title 18, United States Code, Section 1001.

5 OVERT ACTS

6 In furtherance of said conspiracy, and to effect the objects
7 thereof, the following overt acts, among others, were committed within
8 the Southern District of California, and elsewhere:

- 9 1. On or about December 16, 1998, defendant AL-MOHDAR MOHAMED
10 AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah, went to the
11 United States Embassy in Ottawa, Canada, presented his
12 Yemeni passport (No. 00076187), applied for and received a
13 single entry B-2 visitor's visa to enter the United States.
- 14 2. On or about December 16, 1998, defendant AL-MOHDAR MOHAMED
15 AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah, entered the
16 United States at Los Angeles, California from Canada, as a
17 B-2 visitor.
- 18 3. On or about December 24, 1998, in San Diego, California,
19 defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar
20 Mohamed Abdullah, filed an "Application for Asylum and for
21 Withholding of Removal" [INS Form I-589] with the
22 Immigration and Naturalization Service [INS], claiming to
23 have entered the United States without inspection on
24 December 7, 1998, through New York, New York.

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4. On or about January 7, 1999, defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah, requested defendants ABDULLAHI JAMA AMIR, ALI SAID DAWALEH, and AHMED SHARIF ALIWE, to provide him with statements showing that he [Defendant AL-MOHDAR] was born in Somalia.
5. On or before January 7, 1999, in San Diego, California, defendant ABDULLAHI JAMA AMIR prepared and signed a letter, on Horn of Africa letterhead, claiming that defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah, was born in Somalia, and was fleeing the civil war in Somalia.
6. On or after January 7, 1999, in San Diego, California, defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah submitted, and caused to be submitted, to the INS defendant ABDULLAHI JAMA AMIR's January 7, 1999, letter, on Horn of Africa letterhead claiming that defendant AL-MOHDAR was born in Somalia, and was fleeing the civil war in Somalia.
7. On or about February 23, 1999, in San Diego, California, defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah, stated to an INS Asylum Officer that he entered the United States without inspection on December 7, 1998, through New York, New York, using an Italian passport in the name of Franco de Pollo.
8. On or before May 3, 2000, in San Diego, California, defendant AHMED SHARIF ALIWE executed an "Affidavit of Birth Certificate," filed with defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah's Adjustment



1 Application (INS Form I485) claiming defendant AL-MOHDAR
2 MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah, was
3 born in Somalia.

4 9. On or after May 3, 2000, in San Diego, California,
5 defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar
6 Mohamed Abdullah submitted, and caused to be submitted, to
7 the INS defendant AHMED SHARIF ALIWE's May 3, 2000,
8 "Affidavit of Birth Certificate," claiming defendant
9 AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed
10 Abdullah, was born in Somalia.

11 10. On or before May 4, 2000, in San Diego, California,
12 defendant ALI SAID DAWALEH executed an Affidavit of Birth
13 Certificate filed with defendant AL-MOHDAR MOHAMED
14 AL-MOHDAR ZEID's, aka Mohdar Mohamed Abdullah's Adjustment
15 Application (INS Form I485) claiming defendant AL-MOHDAR
16 MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah, was
17 born in Somalia.

18 11. On or after May 4, 2000, in San Diego, defendant AL-MOHDAR
19 MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah
20 submitted, and caused to be submitted, to the INS defendant
21 ALI SAID DAWALEH's May 4, 2000, "Affidavit of Birth
22 Certificate," claiming defendant AL-MOHDAR MOHAMED
23 AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah, was born in
24 Somalia.

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1 12. On or about May 5, 2000, in San Diego, California,
2 defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar
3 Mohamed Abdullah, filed an Application to Register as a
4 Permanent Resident [INS Form I-485], claiming to have
5 entered the United States without inspection on December 7,
6 1998.

7 All in violation of Title 18, United States Code, Section 371.

8 Count 2

9 On or about December 24, 1998, in the Southern District of
10 California, the defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar
11 Mohamed Abdullah, did knowingly present to the Immigration and
12 Naturalization Service an application required under the immigration
13 laws, and regulations prescribed thereunder, to wit, an application
14 for asylum and withholding of removal [Form I-589], which contained
15 a statement, to wit, that he last entered the United States without
16 inspection on December 7, 1998, through New York, New York; which the
17 defendant then and there knew was false, in that in truth and in fact
18 he entered the United States on December 10, 1998, from Canada, on a
19 Yemeni passport with a valid United States B-2 visitor's visa; in
20 violation of Title 18, United States Code, Section 1546(a).

21 Count 3

22 On or about February 23, 1999, in the Southern District of
23 California, in a matter within the jurisdiction of Immigration and
24 Naturalization Service, an agency of the United States, defendant
25 AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed Abdullah, did
26 knowingly and willfully make and caused to be made a false,
27 fictitious, and fraudulent material statement and representation, to
28 wit, that he last entered the United States without inspection on

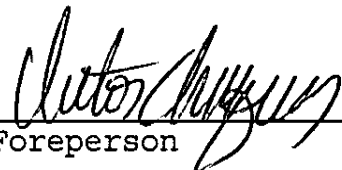
1 December 7, 1998, through New York, New York, on an Italian passport;
2 which the defendant then and there knew was false, in that in truth
3 and in fact he entered the United States on December 10, 1998, from
4 Canada, on a Yemeni passport with a valid United States B-2 visitor's
5 visa; in violation of Title 18, United States Code, Section 1001.

6 Count 4

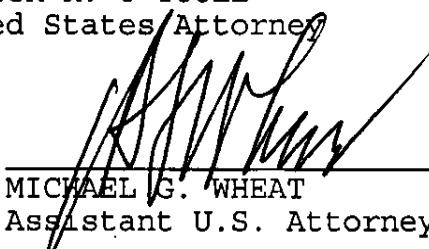
7 On or about May 5, 2000, in the Southern District of California,
8 the defendant AL-MOHDAR MOHAMED AL-MOHDAR ZEID, aka Mohdar Mohamed
9 Abdullah, did knowingly present to the Immigration and Naturalization
10 Service an application required under the immigration laws, and
11 regulations prescribed thereunder, to wit, an Application to Register
12 as a Permanent Resident [INS Form I-485], which contained a statement,
13 to wit, that he last entered the United States without inspection on
14 December 7, 1998; which the defendant then and there knew was false,
15 in that in truth and in fact he entered the United States on
16 December 10, 1998, from Canada, on a Yemeni passport with a valid
17 United States B-2 visitor's visa; in violation of Title 18, United
18 States Code, Section 1546(a).

19 DATED: June 28, 2002.

20 A TRUE BILL:

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22 _____
23 Foreperson

24 PATRICK K. O'TOOLE
25 United States Attorney

26 By: 
27 MICHAEL G. WHEAT
28 Assistant U.S. Attorney