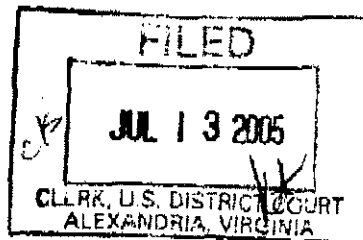


**UNITED STATES DISTRICT COURT**  
**Eastern District of Virginia**  
**Alexandria Division**



UNITED STATES OF AMERICA

v.

Case Number 1:04CR00385-001

**ALI AL-TIMIMI,**

Defendant.

**JUDGMENT IN A CRIMINAL CASE**

The defendant, ALI AL-TIMIMI, was represented by Edward B. MacMahon, Esquire and Alan H. Yamamoto, Esquire.

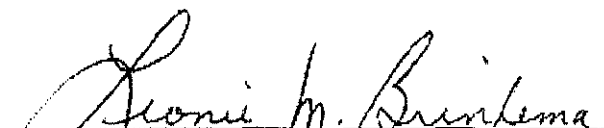
The defendant was found guilty on count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of the Superseding Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of the following count(s), involving the indicated offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. §§ 2 and 924(n)	Inducing Others to Conspire to Use Firearms (Felony)	05/2003	1
18 U.S.C. § 373	Soliciting Others to Levy War Against the United States (Felony)	10/21/2001	2
18 U.S.C. §§ 2 and 2384	Inducing Others to Levy War Against the United States (Felony)	05/2003	3
50 U.S.C. § 1705(b), 18 U.S.C. §2, 31 C.F.R. §§ 545.204 and 545.206, (Felony) Executive Order No. 13224, 66 Fed. Reg. 49079 (2001); 65 Fed. Reg. 41549 (2000); Executive Order 13129, 64 Fed. Reg. 36759 (1999)	Attempting to Contribute Services to the Taliban	10/21/2001	4

As pronounced on July 13, 2005, the defendant is sentenced as provided in pages 3 through 8\*\* of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this 13th day of July, 2005.

  
 Leonie M. Brinkema  
 United States District Judge

Defendant: ALI AL-TIMIMI  
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## Continuation of Counts from Page 1

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
50 U.S.C. § 1705(b), 18 U.S.C. § 2, 31 C.F.R. §§ 545.204 and 545.206, Executive Order No. 13224, 66 Fed. Reg. 49079 (2001); 65 Fed. Reg. 41549 (2000); Executive Order 13129, 64 Fed. Reg. 36759 (1999)	Counseling and Inducing Others to Aid the Taliban	10/21/2001	5
18 U.S.C. §§ 2 and 371	Counseling and Inducing Others to Conspire to Violate the Neutrality Act	05/2003	6
18 U.S.C. §§ 924(c) and 2(a)	Inducing Others to Use Firearms in Connection with a Crime of Violence	09/18/2001	7
18 U.S.C. §§ 924(c) and 2(a)	Inducing Others to Use Firearms in Connection with a Crime of Violence	09/18/2001	8
18 U.S.C. §§ 844(h)(2) and 2(a)	Inducing Others to Carry Explosives During Commission of a Felony	09/18/2001	9
18 U.S.C. §§ 844(h)(2) and 2(a)	Inducing Others to Carry Explosives During Commission of a Felony	09/18/2001	10

Defendant: ALI AL-TIMIMI  
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**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of LIFE IMPRISONMENT, consisting of:

ONE-HUNDRED TWENTY-ONE (121) MONTHS concurrent as to each of Counts 1, 2, and 3;

ONE-HUNDRED TWENTY (120) MONTHS concurrent as to each of Counts 4 and 5, to be served concurrently with the terms of imprisonment imposed in Counts 1, 2, and 3.

SIXTY (60) MONTHS as to Count 6, to be served concurrently with the terms of imprisonment imposed in Counts 1, 2, 3, 4, and 5.

THREE-HUNDRED SIXTY (360) MONTHS as to Count 7, to be served consecutively to the terms of imprisonment imposed in Counts 1, 2, 3, 4, 5, and 6.

LIFE IMPRISONMENT as to Count 8;

ONE-HUNDRED TWENTY (120) MONTHS as to Count 9, to be served consecutively to the terms of imprisonment imposed in Counts 1, 2, 3, 4, 5, 6, 7, and 8;

TWO-HUNDRED FORTY (240) MONTHS as to Count 10, to be served consecutively to the terms of imprisonment imposed in Counts 1, 2, 3, 4, 5, 6, 7, 8, and 9.

The Court makes the following recommendations to the Bureau of Prisons:

Defendant to be designated to a facility as close to the Washington D.C. area as possible.

The Court recommends the defendant not be placed under Special Administrative Measures (SAM) while in custody.

The defendant is remanded to the custody of the United States Marshal.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_, with a certified copy of this Judgment.

- c: P.O. (2) (3)
- Mshl. (4) (2)
- U.S. Atty.
- U.S. Coll.
- Dft. Cnsl.
- PTS
- Financial
- Registrar
- Ob

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: ALI AL-TIMIMI  
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### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of THREE (3) YEARS, as to all Counts of conviction to be served concurrently.

The Probation Office shall provide the defendant with a copy of the standard conditions and any special conditions of supervised release.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

While on supervised release, the defendant shall not commit another federal, state, or local crime.

While on supervised release, the defendant shall not illegally possess a controlled substance.

While on supervised release, the defendant shall not possess a firearm or destructive device.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

### **STANDARD CONDITIONS OF SUPERVISED RELEASE**

The defendant shall comply with the standard conditions that have been adopted by this Court (set forth below):

- 1) The defendant shall not leave the judicial district without the permission of the Court or probation officer.
- 2) The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the Probation Officer within 72 hours, or earlier if so directed, of any change in residence.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: ALI AL-TIMIMI  
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**SPECIAL CONDITIONS OF SUPERVISION**

While on supervised release, pursuant to this Judgment, the defendant shall also comply with the following additional conditions:

- 1) Although mandatory drug testing is waived pursuant to 18 U.S.C. §3563(a)(4), defendant must remain drug free and his probation officer may require random drug testing at any time.
- 2) Defendant shall not have any contact with his co-defendants.

Defendant: ALI AL-TIMIMI  
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### CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total monetary penalties in accordance with the schedule of payments set out below.

<u>Count</u>	<u>Special Assessment</u>	<u>Fine</u>
1	\$100.00	
2	\$100.00	
3	\$100.00	
4	\$100.00	
5	\$100.00	
6	\$100.00	
7	\$100.00	
8	\$100.00	
9	\$100.00	
10	\$100.00	
<b><u>Total</u></b>	<b>\$1,000.00</b>	

### FINE

No fines have been imposed in this case.

### SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

The special assessment is due in full immediately. If not paid immediately, the Court authorizes the deduction of appropriate sums from the defendant's account while in confinement in accordance with the applicable rules and regulations of the Bureau of Prisons.

Any special assessment, restitution, or fine payments may be subject to penalties for default and delinquency.

If this judgment imposes a period of imprisonment, payment of Criminal Monetary penalties shall be due during the period of imprisonment.

All criminal monetary penalty payments are to be made to the Clerk, United States District Court, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

Defendant: ALI AL-TIMIMI  
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**STATEMENT OF REASONS**

The Court adopts the factual findings in the Presentence Report, except the Court does not impose the 2 point increase to the offense level for obstruction of justice.

**Advisory Guideline Range Determined by the Court:**

Total Offense Level: 32

Criminal History Category: 1

Imprisonment Range: 121 to 151 months as to Counts 1, 2, and 3;  
120 Months statutory maximum as to Count 4;  
120 Months statutory maximum as to Count 5;  
60 Months statutory maximum as to Count 6;  
360 Months statutory minimum consecutive as to Count 7;  
Life Imprisonment statutory minimum consecutive as to Count 8;  
120 Months statutory consecutive as to Count 9;  
240 Months statutory consecutive as to Count 10.

Supervised Release Range: 3 to 5 years as to Counts 1, 7, 8, 9, and 10  
2 to 3 years as to Counts 2, 3, 4, 5, and 6

Fine Range: \$ 17,500.00 to \$ 175,000.00

Fine waived or below the guideline range because of inability to pay.

Restitution: \$                     

Full restitution is not ordered for the following reason(s):

Not Applicable

The sentence adequately reflects the seriousness of the offense, adequate punishment and deterrence as well as protection of the community.