AO 91 (rev.11/11) Criminal Complaint

Case 5:15-mj-00035-SM Document 11 Filed 02/05/15 Page 1 of 15 AUTHORIZED AND APPROVED DATE: SIKumen AUSA

			2-3-15
Unit	ed States District C	court FED	En
WESTERN	DISTRICT OF	OKE ARA 3	2015
United States of America)	SET VESTER SHIM	Nicia
v.)		DISTERK DEPUTIA
ISRAA JAFAR ALI, and SAJJAD HUSSAIN AL FEHAIDAH)	m-15-35-SM	-19 "
SAGGAD HUSSAIN AL FEIIAIDAI	REDACTED CRIMINAL COMPLAINT		

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

COUNT 1

On or about the date(s) of September 19, 2014, in the County of Oklahoma, in the Western District of Oklahoma, the

defendants Israa Jafar Ali and Sajjad Hussain Al Fehaidah violated:

Code Section

18 U.S.C. § 1038(a)(1)

Offense Description

Knowingly and intentionally engaged in conduct through cellular telephone calls and statements to law enforcement with the intent to convey material false and misleading information, that is, a suicide bomber would detonate an explosive (bomb laden vest with nails), in some 2-3 weeks' time, in a place of public use, in a Christian church, near the University of Central Oklahoma (UCO), which threat, under the circumstances, law enforcement reasonably believed, thus constituting a violation of Chapter 113B of Title 18 of the United States Code (U.S.C.)(Terrorism, 18 U.S.C. §2231 et seq.) and 18 U.S.C. Section 2(a).

This criminal complaint is based on these facts:

See attached Affidavit of Task Force Officer, David M. Otwell, Federal Bureau of Investigation, which is incorporated and

made a part hereof by reference.

Complainant's signature DAVID M. OTWELL Task Force Officer Federal Bureau of Investigation

Judge's signature

SUZANNE MITCHELL, U.S. Magistrate Judge Printed name and title

Sworn to before me and signed in my presence.

Date: Fer 3, 2015

City and State: Oklahoma City, Oklahoma

WESTERN DISTRICT OF OKLAHOMA

OKLAHOMA CITY, OKLAHOMA

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STATE OF OKLAHOMA

COUNTY OF OKLAHOMA

<u>AFFIDAVIT</u>

I, David M. Otwell, being duly sworn, do hereby state the following is true and correct to the best of my knowledge and belief:

1. I am a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) Joint Terrorism Task Force (JTTF). I am an investigative or law enforcement officer of the United States within the meaning of Title 18 U.S.C. § 2501(7); that is, an officer of the United States who is empowered to conduct investigations for violations of federal offenses including Title 18 U.S.C. § 1038(a)(1), False Information and Hoaxes and offenses under Chapter 113B of Title 18 of the United States Code. I have been employed as a Police Officer with the City of Edmond (EPD) for approximately 23 years and have been assigned to the Oklahoma City Division of the Federal Bureau of Investigation (FBI) JTTF as a TFO for the last 11 years. I have participated in investigations involving individuals suspected of terrorist activities, assisted in the execution of search and arrest warrants, conducted physical surveillance, analyzed records and have spoken to informants and subjects of investigations involving numerous types of federal violations.

2. The following facts are based on an investigation conducted by Special Agents and Task Force Officers of the FBI, Department of Homeland Security (HSI) and

Police Officers of the Edmond Police Department. I am familiar with the information contained in this affidavit through direct investigative participation, conversations with assisting law enforcement personnel and by reading the reports prepared by other law enforcement investigators.

FURTHER YOUR AFFIANT STATES AS FOLLOWS:

Listed below is a timeline of the events beginning on day #1

<u>DAY #1</u>

3. The investigation revealed that on Friday, September 19, 2014, at 9:19pm, Ms. ISRAA JAFAR ALI (Ms. ALI) called the Edmond Police Department (EPD) utilizing her boyfriend's, Mr. SAJJAD HUSSAIN AL FEHAIDAH (Mr. AL FEHAIDAH) cell phone, XXX-XXX-9892, and reported that she had information regarding a suicide bombing that was purported to take place in a Christian church near the campus of the University of Central Oklahoma, Edmond, Oklahoma.

<u>Phone Call #1</u>- (Friday, September 19, 2014 at 9:19pm) - Ms. ALI called 911 and spoke to a police dispatcher with the Edmond Police Department. Ms. ALI explained to the dispatcher that she wanted to report a terrorist act that may occur in Edmond, Oklahoma by an individual that she knows. She told the dispatcher she wanted to speak to a supervisor or deputy. She also stated she did not want to speak to the deputy in person; rather she wanted to talk to him on the telephone. To get a call back, Ms. ALI provided the dispatcher her phone number for re-contact, XXX-XXX-9892 and also told

her she wanted to remain anonymous. (Note: This phone call was recorded)

- Phone Call #2 (Friday, September 19, 2014 at 9:33pm) Officer Cody . Hash of the Edmond Police Department was assigned to call Ms. ALI back to take a report regarding the terrorism threat. After Officer Hash made telephonic contact with Ms. ALI, she told him she wanted to report that she was with a group of friends when she heard an individual talking about committing a terrorist attack. She said she did not know the guy, but knew his name. She said he was an international student from Saudi Arabia who was talking about committing a terrorist attack by strapping on a belt with nails that would explode and kill a bunch of people. She said she did not know where he could be located, but did know him. She felt she really needed to report the incident because she thought it was very dangerous and this was her country. She said he attends The Language Center (TLC) on the campus of the University of Central Oklahoma. She said she did have his name, but wanted to talk to a supervisor. Officer Hash told her he would have a supervisor call her back in a few minutes. (Note: This phone call was recorded)
- <u>Phone Call #3</u> (Friday, September 19, 2014 at approximately 9:45pm) Sergeant Bill Gilbert called Ms. ALI who reported that she overheard an individual identified as date of birth XX/XX/1949 from Saudi Arabia who attends TLC, the language school on the Campus of the University of Central Oklahoma talking about committing a suicide bombing

at a church near the University of Central Oklahoma. She said he was going to load his jacket with nails so he could injure a lot of people. She said he had an international connection in Saudi Arabia and knew some people in Guantanamo. She also said the bombing was supposed to occur in two to three weeks. She provided Sergeant Gilbert with her name of Izra and left her phone number, XXX-XXX-9892 for re-contact. Sergeant Gilbert also described hearing other people in the background while he was on the phone with her confirming the information she was providing to him.

Ms. ALI's information was documented by Sergeant Gilbert of the Edmond Police Department under EPD Incident #201404445 and was later submitted to the FBI for further investigation.

4. At this point in the investigation, members of the Oklahoma City Division of the FBI JTTF felt this was a viable threat and provided numerous resources to investigate and disrupt the purported suicide bombing plot.

<u>DAY #2</u>

5. Upon being notified of the planned suicide bombing, TFO Otwell and Special Agent (SA) Michael Puskas conducted numerous database searches on the name with no success. In an attempt to completely identify and to obtain additional information concerning the alleged suicide bombing, TFO Otwell called XXX-XXX-9892 on four separate occasions in an attempt to make contact with Ms. ALI, but had no success. After conducting several database checks on XXX-XXX-9892, the phone number was determined to be subscribed to Mr. SAJJAD HUSSAIN AL

ATTACHMENT 1

FEHAIDAH, 401 W. Covell, apartment #934, Edmond, Oklahoma.

6. On Saturday, September 20, 2014 at approximately 11:45am, SA Puskas and TFO Otwell drove to 401 W. Covell, apartment #934, Edmond, Oklahoma in an attempt to make contact with Ms. ALI or Mr. AL FEHAIDAH. Upon arrival, agents met with Mr. AL FEHAIDAH, the person whose phone number was used to call the Edmond Police Department. While talking to Mr. AL FEHAIDAH in the doorway, he was somewhat uncooperative and told agents he was sleeping and requested them to come back at a later time. After explaining the seriousness of the situation without disclosing why agents needed to talk to Ms. ALI, Mr. AL FEHAIDAH invited agents into his apartment. Mr. AL FEHAIDAH said Ms. ALI, was his girlfriend of two weeks, but did not know her last name, phone number, address or where she worked other than she worked at a hospital as a nurse. After explaining to Mr. AL FEHAIDAH that it was imperative agents speak to Ms. ALI, Mr. AL FEHAIDAH called an unknown phone number, which was later determined to be Ms. ALI's sister, a juvenile.

A few seconds after Mr. AL FEHAIDAH completed that call, Ms. ALI called Mr. AL FEHAIDAH from XXX-XXX-8779. Once the caller was identified as Ms. ALI, Mr. AL FEHAIDAH handed the phone to TFO Otwell. While talking to TFO Otwell, Ms. ALI seemed upset that agents were at her boyfriend's apartment and thought agents were causing a scene. Ms. ALI explained she was working and would be more than happy to call TFO Otwell back in two hours after getting off of work. During agent's conversation with Mr. AL FEHAIDAH, it was obvious he spoke very good English and understood everything agents said.

Case 5:15-mj-00035-SM Document 11 Filed 02/05/15 Page 7 of 15

7. On Saturday, September 20, 2014, at 4:18pm, after not receiving a phone call from Ms. ALI, TFO Otwell called the phone number, XXX-XXX-8779 that she previously used to call Mr. AL FEHAIDAH and was able to make contact with her. Instead of saying she was at work as originally described, she said she was with friends and was not able to get away to meet with agents. Although she refused to meet with agents, she reluctantly agreed to answer a few of TFO Otwell's questions while on the phone. Ms. ALI said on September 19, 2014, she was hanging out with some of her friends at an apartment complex in Edmond, Oklahoma when she overheard **section** talking about committing a suicide bombing at a Christian church near the campus of the University of Central Oklahoma. She said **section** described the attack and said he was going to put on a jacket filled with nails and explosives so he could kill and injure as many people as possible. She also overheard **say** he was going to commit the attack in two to three weeks. At the end of the phone call, Ms. ALI agreed to meet with agents on the following Monday so she could give agents a more detailed account of the threat.

<u>DAY #4</u>

Case 5:15-mj-00035-SM Document 11 Filed 02/05/15 Page 8 of 15

Ms. ALI said she, her sister and their two friends were sitting at a kitchen table inside of an unknown apartment in Edmond, Oklahoma when she overheard the threatening statements. She said **and** three other Saudi males were sitting on the balcony of that same apartment when she overheard **and** conversation through the sliding door, which was slightly open. After leaving and going to her boyfriend's apartment, she became alarmed enough to borrow her boyfriend's cell phone to call and report the threat to the Edmond Police Department. Ms. ALI stated that she has since discussed the information regarding the threat to her boyfriend and sister. She said to verify who **boyfriend** Ms. ALI also gave agents her new cell phone number, XXX-XXX-7005, for future contact. During agent's conversation with Ms. ALI, it was obvious she spoke very good English and understood everything we said. She also commented that she was born in Syria, but was raised in the United States.

9. On September 22, 2014, SA Marsh contacted Timothy Kok, Director of International Admissions and Communications at the University of Central Oklahoma (UCO). SA Marsh informed Kok that he was interested in identifying a Saudi student with the Facebook moniker of **Section Robert Ro**

Case 5:15-mj-00035-SM Document 11 Filed 02/05/15 Page 9 of 15

(ESL) program in March for truancy and was reported to have left the country. (Note: Agents were also able to determine, based on international travel records, that departed the United States on April 08, 2014, and was not in the United States on September 19, 2014 when Ms. ALI said she heard him talking about committing a suicide bombing.)

<u>DAY #5</u>

On Tuesday, September 23, 2014, Special Agents (SAs) Michael Puskas and 10. Eric Larsen and Task Force Officers (TFOs) Rick Steele (Department of Homeland Security) and David Otwell (Edmond PD) interviewed Mr. AL FEHAIDAH at his apartment. During the interview, Mr. AL FEHAIDAH admitted that on September 19, 2014, he picked up Ms. ALI from a friend's house and brought her back to his apartment. He said once at his apartment, Ms. ALI started asking him questions about another Saudi He told her he did know an individual by the male by the name of and subsequently pulled up his Facebook account on his laptop name of computer and showed it to Ms. ALI. After Ms. ALI viewed Facebook page for a few minutes, Ms. ALI became visibly upset. He said he did not know why she was upset and did not ask. He said a short time later, Ms. ALI asked to borrow his cell phone, which he complied. He said Ms. ALI went to the balcony of his apartment where she made a phone call. He said he had no clue who she called or what the call was about. Mr. AL FEHAIDAH was asked to look at his outgoing calls for that day and time to see what phone number she called. After looking, Mr. AL FEHAIDAH identified the number as XXX-XXX-4406. (Note: this phone number is the office phone number for Sergeant Bill Gilbert of the Edmond Police Department, the officer who took the initial report concerning the purported suicide bomb threat.) In an attempt to see if Mr. AL FEHAIDAH was telling the truth, agents asked him if he would call Ms. ALI while he had his phone on speaker and ask her why she originally called the police. When Ms. ALI answered and after Mr. AL FEHAIDAH asked the question, Ms. ALI said; "You know why, I told you, because of that guy who was planning on committing a bombing at a church." After he hung up with Ms. ALI, he was confronted about his knowledge of the phone call. Mr. AL FEHAIDAH continued to deny knowing anything about the phone call or why Ms. ALI called police. After Mr. AL FEHAIDAH's phone call to Ms. ALI, agents continued to believe the suicide bomb threat was a viable threat and continued to vigorously investigate the threat with multiple resources.

11. On Tuesday, September 23, 2014, Special Agents (SAs) Kristen Foster and Michael Puskas and Task Force Officer (TFO) David Otwell re-interviewed Ms. ALI. During this interview, Ms. ALI provided agents with a more detailed account of the purported suicide bomb threat, but most of the information remained the same. One of the things she did tell Mr. AL FEHAIDAH during their conversation prior to her phone call to police, was that was a "jihadist." After that comment, she said she borrowed Mr. AL FEHAIDAH's phone and called the Edmond Police Department to report the suicide bomb threat.

Approximately 15 minutes after the interview, Ms. ALI texted TFO Otwell and confessed to making up the whole story regarding planning planning to commit a suicide bombing at a local church in Edmond, Oklahoma. Ms. ALI said she made up the

Case 5:15-mj-00035-SM Document 11 Filed 02/05/15 Page 11 of 15

story in an attempt to get even with She felt by calling the Edmond Police Department and telling them that was planning on committing a suicide bombing, it would make the police go to his residence and scare him and ultimately make him stop harassing her as he had been doing for quite some time. She said she did not realize the FBI was going to get involved and apologized. She later admitted that Mr. AL FEHAIDAH has also had problems with state and assisted her by looking up biographical information, name and date of birth, on his Facebook page as she was on the phone with police. Ms. ALI also admitted to telling Mr. AL FEHAIDAH that if the police came to talk to him, tell them the following: "he knows nothing and he had nothing to do with anything." It was only after the above described confession, agents then realized the suicide bomb threat was a hoax and was no longer a viable threat.

<u>DAY#6</u>

12. On Wednesday, September 24, 2014, a sister of ISRAA JAFAR ALI was interviewed. She admitted that she did not know anything about Ms. ALI calling the police or talking to the FBI until Monday, September 22, 2014, when she was asked by Ms. ALI to give her a ride so she could go and talk to the FBI. Ms. ALI told the sister that Ms. ALI needed to meet with the FBI because she was friends with a terrorist on Facebook and the FBI needed to ask her some questions. The sister said on September 23, 2014, she and Ms. ALI drove to the Oklahoma City University (OCU) where the sister was assisting with translations. The sister said she was in the building at OCU when Ms. ALI left to go talk to the FBI. When Ms. ALI returned, she told the sister the truth about the suicide bombing threat she had reported to police that was false and asked the sister to go along with her and

Case 5:15-mj-00035-SM Document 11 Filed 02/05/15 Page 12 of 15

support her original story. The sister said she began yelling at Ms. ALI and said she would not lie for her. The sister then told Ms. ALI she should tell the truth.

On Wednesday, September 24, 2014, Ms. ALI was re-interviewed by agents 13. and verbally confessed to the hoax and subsequently provided a written confession detailing Mr. AL FEHAIDAH's involvement. She said on September 19, 2014, when she arrived at Mr. AL FEHAIDAH apartment, prior to the phone call to police, Mr. AL FEHAIDAH told her that he and his best friend had also been having problems with but did not elaborate on the details. He also told her about had Saudi connections, which caused problems for a Shia man with children. this man was sent back to Saudi Arabia. Based on Ms. ALI's Because of confession, it was determined Mr. AL FEHAIDAH assisted her in the crime by, 1) allowing her to use his cell phone to call the police, 2) by looking up aka biographical information on Facebook and providing it to her during her initial phone call to Edmond police and, 3) telling him to lie to police by telling police; "he knows nothing and had nothing to do with anything." (Note: Mr. AL FEHAIDAH admitted to lying to the FBI when agents came to his apartment and asked him why Ms. ALI initially called the police on September 19, 2014. He said since he was instructed by Ms. ALI to lie to the police if interviewed, he lied to FBI agents when they asked him why Ms. ALI initially called the police.)

<u>DAY #28</u>

14. On October 17, 2014, Special Agent (SA) Ken Western and Task Force Officer (TFO) David Otwell met and interviewed Mr. AL FEHAIDAH. After explaining

Case 5:15-mj-00035-SM Document 11 Filed 02/05/15 Page 13 of 15

to Mr. AL FEHAIDAH that lying to a federal agent was a federal crime and he could be prosecuted if he lied during the interview, Mr. AL FEHAIDAH provided the following information: Mr. AL FEHAIDAH said on September 19, 2014, he heard from some of his who is of the aka Cardia. friends that aka Sunni Muslim faith, was talking bad about him because he (Mr. AL FEHAIDAH) is of the Shia Muslim faith. Although he heard this from friends, he did not hear it directly from Mr. AL FEHAIDAH said later that evening, Ms. ALI came over to his apartment. As he started to tell her about what was saying about him, Ms. ALI said she believed she was having a problem with the same person. Mr. AL FEHAIDAH said he logged onto his personal Facebook account and located Facebook page. As he showed Ms. ALI Facebook page with his profile photo, Ms. ALI acknowledged he was the same person who was talking bad about her because of her Shia Muslim faith. Mr. AL FEHAIDAH said during their discussion about Ms. ALI talked about calling the police so would no longer bother them. Mr. AL FEHAIDAH thought the phone call to the police would either result in the arrest of some or it would scare him enough that he would no longer talk bad about him or Ms. ALI. When Ms. ALI decided to call the police, Mr. AL FEHAIDAH loaned his phone to her so she could make the call. He said during the first phone call to the police, the officer was asking Ms. ALI for full name, date of birth and any other identifiers that would assist with their investigation. When Ms. ALI realized she did not have the requested information, Mr. AL FEHAIDAH pulled up Facebook page, and relayed his biographical information to Ms. ALI so she could provide it to police. When asked why he lied to agents during the first two interviews, Mr. AL

FEHAIDAH said he did not directly hear Ms. ALI tell the police about being a suicide bomber and his plans on blowing up a church, but he did hear enough to know that Ms. ALI was not telling the truth, and that her purpose was to create trouble for He also said he lied because Ms. ALI told him not to say anything to authorities if asked. Although Mr. AL FEHAIDAH claimed he did not hear Ms. ALI tell the police about the purported suicide bomb threat, he did admit to relaying information about while she was on the phone reporting the threat to police. [Note: On page nine (9), paragraph ten (10), Mr. AL FEHAIDAH made a phone call to Ms. ALI while agents were present and while on speaker phone, and asked Ms. ALI why she originally called the police from his phone. She responded by saying, "You know why, I told you, because of that guy who was planning on committing a bombing at a church." Although he continued to deny knowing anything about the phone call, it was obvious, based on Ms. ALI's statement, he knew about the phone call and hoax].

15. The investigation revealed there are nine Christian churches, all places of public use, within two blocks of the campus of the University of Central Oklahoma and one church named "Frontline" that hold Sunday services on the campus in the Nigh University Center.

16. Based upon the above-mentioned facts, I submit there is probable cause to charge ISRAA JAFAR ALI with a violation of Title 18 U.S.C. § 1038(a)(1), False Information and Hoaxes and to also charge conjointly SAJJAD HUSSAIN AL FEHAIDAH

with a violation of Title 18 U.S.C. § 1038(a)(1), False Information and Hoaxes, and all in violation of 18 U.S.C. Section 2(a).

FURTHER YOUR AFFIANT SAYETH NOT.

and al Otmeet

David M. Otwell Task Force Officer Federal Bureau of Investigation Oklahoma City, Oklahoma

Subscribed and sworn to before me this <u>3</u> day of February, 2015.

SUŽANNE MITCHELL United States Magistrate Judge

CRIMINAL CO	VER SHEE	T	<u>U.S. Di</u>	strict C	ourt, Western	<u>1 District</u> of Oklahoma	
Petty 🗌 Misdemeanor 🔲 Felony 🗹				5-35			
Number of Counts1		fenda		No. 201	4R00626	By: jlr	
COMPLAINT			· · ·				
Sealed: Ycs 🖉 No	OCDETF: Yes	א 🗋	o 🗹 Notice 🗌 Su	mmons	🗌 Writ 🔲	Warrant 🖌 to Issue	
DEFENDANT: ISRAA JAF	AR ALI						
Alias(es):			Address: Oklahoma City, OK 73112				
			Phone:				
Age&DOB: 19, XX-XX-1995	SS#: XXX-XX-8147		Juvenile: Yes 🗌 No 🗹	Interp	oreter: Yes	□ No 🗹	
SEX: M 🗆 F 🗹	RACE: White	1	Language/Dialect: English				
Defendant Status:				<u> </u>			
☑ Not in Custody			Type of Bond Recommended on this Charge:				
Bond set at: \$ Date: Current Bond on Other Charge Federal [] State []			OR Cash Bond in Amount of: S	10% [\$	Unsecure	ed 🗌 Surety 🗋	
In Jail at:		Un	der Prisoner/Register N	lo.:		Detention 🔽	
Prior Proceedings or Appeara	nce(s) Before U.S. Mag	gistra	te Judge:				
Case No. M-			Government Motion to Detain: Yes No			No 🗌	
Complaint: Yes No			Bond Set: Date:			e:	
Related Case Information:					······		
Previous Case No. Rul		Rule	ale 20/Rule 5 from District of :				
Additional Defendants: Yes] No []		Total Number of defend	dants:	·		
Attorney Information:							
Defense Counsel:			AUSA: Edward J. Kumiega				
Address:			Phone: 405/553-8849		Fax: 405/553-8888		
Phone: F	ax:		Federal Agent/Agency:		/ FBI		
Retained CJA Panel	Public Defender		Local Agent/Agency:				
Count(s) USC Citation 1 18 U.S.C. § 103	38(a)(1) Conv	nse(s)	Charged I False or misleading	Penalty NMT 5 y poth; NM	•	nent, \$250,000 fine, or \$100 S/A	

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CRIMINAL CO	VER SHEE	<u>T</u>		U.S. District	Court, Western	District of Oklahoma	
Petty 🗌 Misdemeanor 🔲	Felony 🗹		Case No.	M-15-3	5-SM		
Number of Counts1		fenda			014R00626	By: jlr	
COMPLAINT							
Sealed: Yes 🗸 No	OCDETF: Yes	<u></u> по	Notice	Summon	ıs 🗌 Writ 🔲	Warrant 🗹 to Issue	
DEFENDANT: SAJJAD HU	USSAIN AL FEDAII	DAH					
Alias(es):		A	Address: Edmond, Oklahoma 73034				
		F	Phone:				
Age&DOB: 23, XX-XX-1991	SS#: XXX-XX-XXXX	:]	uvenile: Yes 🗌	No 🛛 Inte	erpreter: Yes [] No[7]	
SEX: M 🗹 F	RACE: White	L	Language/Dialect: English				
Defendant Status:		I					
☑ Not in Custody			Type of Bond Recommended on this Charge:				
Bond set at: \$ Date: Current Bond on Other Charge Federal [] State []			OR Ca Bond in Amou		Unsecure	ed 🗋 Swrety 🗋	
In Jail at:		Und	ler Prisoner/Reg	ister No ·		Detention 🔽	
Prior Proceedings or Appearan	ice(s) Before U.S. Mag	gistrat	te Judge:			Detention	
Case No. M-			Government Motion to Detain: Yes No				
Complaint: Yes No			Bond Set: Date:			»:	
Related Case Information:							
Previous Case No. Rule		Rule	ale 20/Rule 5 from District of :				
Additional Defendants: Yes	No 🗌		Total Number o	f defendants:			
Attorney Information:							
Defense Counsel:			AUSA: Edward J. Kumicga				
Address:		1	Phone: 405/553-8	849	Fax: 405/553-8888		
Phone: Fa	ax:	I	Federal Agent/Ag	ency:	/ FBI		
Retained CJA Panel	Public Defender	I	Local Agent/Ager	 ncy:			
Count(s) USC Citation	(s) Offer		Charged	Penal			
1 18 U.S.C. § 103		False or Misleading	g NMT S		nent, \$250,000 fine, or \$100 S/A		

Date: R-J-/J Signature of AUSA J/K42