

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	SUPERSEDING
	:	<u>INFORMATION</u>
-v.-	:	S15 98 Cr. 1023 (LAK)
ADEL ABDEL BARY,	:	
a/k/a "Adel Mohammed Abdul	:	
Almagid Abdel Bary,"	:	
a/k/a "Abbas,"	:	
a/k/a "Abu Dia,"	:	
a/k/a "Adel,"	:	
	:	
Defendant.	:	
	:	

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COUNT ONE

The United States Attorney charges:

1. From at least in or about February 1998, up through and including in or about July 1999, ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 844(e).

2. It was a part and an object of the conspiracy that ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," the defendant, and others known and unknown, would and did, through the use of the mail, telephone, telegraph and other instruments of interstate and foreign

commerce, and in and affecting interstate and foreign commerce, willfully make a threat concerning an attempt and alleged attempt being made, and to be made, to kill, injure and intimidate an individual and unlawfully to damage and destroy a building, vehicle and other real and personal property by means of an explosive.

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed:

a. In or about August 1998, ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," the defendant, used an office in London, England, which he shared with others, to store documents, including documents containing the claims of responsibility described in subparagraph 3(b) below, as well as for other conduct related to the conspiracy to murder nationals of the United States charged in Count Three of this Information.

b. On August 8, 1998, one day after al Qaeda bombed the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, ADEL ABDEL BARY, along with others, caused the claims of responsibility for those bombings, which included threats of future terrorist attacks, to be disseminated by international facsimile transmission to the media.

(Title 18, United States Code, Sections 844(e), 844(n), and 3238.)

COUNT TWO

The United States Attorney further charges:

4. In or about August 1998, ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," the defendant, who was first brought to and arrested in the Southern District of New York, willfully and knowingly did, through the use of the mail, telephone, telegraph and other instruments of interstate and foreign commerce, and in and affecting interstate and foreign commerce, make a threat concerning an attempt and alleged attempt being made, and to be made, to kill, injure and intimidate an individual and unlawfully to damage and destroy a building, vehicle and other real and personal property by means of an explosive, to wit, ADEL ABDEL BARY transmitted, via international telephone calls to the media, the contents of al Qaeda's claims of responsibility for the August 7, 1998 bombings of the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, which claims included threats of future terrorist attacks.

(Title 18, United States Code, Sections 844(e), 3238, and 2.)

COUNT THREE

The United States Attorney further charges:

5. From at least in or about 1996, up through and including in or about July 1999, ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a

"Adel," the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 2332(a)(1).

6. It was a part and an object of the conspiracy that ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," the defendant, and others known and unknown, would and did murder, as that term is defined in Title 18, United States Code, Section 1111(a), nationals of the United States, while such nationals were outside the United States.

7. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed:

a. On August 7, 1998, co-conspirators associated with al Qaeda bombed the United States Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania killing 224 people.

b. In or about August 1998, both before and after the bombings described in subparagraph 7(a) above, ADEL ABDEL BARY, a/k/a "Adel Mohammed Abdul Almagid Abdel Bary," a/k/a "Abbas," a/k/a "Abu Dia," a/k/a "Adel," the defendant, arranged for messages to be transmitted from members of the media to his co-conspirators, including but not limited to Ayman al Zawahiri and Usama Bin Laden,

and conveyed messages from his co-conspirators, including Zawahiri and Bin Laden, to members of the media.

(Title 18, United States Code, Sections 371, 2332(a)(1), and 3238.)



PREET BHARARA
United States Attorney

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Defendant.

SUPERSEDING
INFORMATION

S15 98 Cr. 1023 (LAK)

(18 U.S.C. §§ 371, 844(e), 844(n) and
2332(a)(1))

PREET BHARARA
United States Attorney.
