

SEALED MATERIAL

United States District Court

EASTERN DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA

v.

FILED

CRIMINAL COMPLAINT

**Bajram Asllani, a/k/a
"Bajram Aslani,"
a/k/a "Ebu Haab"**

APR 19 2010

CASE NUMBER: **5:10-M-1350**

DENNIS P. IAVARONE, CLERK
US DISTRICT COURT, EDNC
BY [Signature] DEP CLK

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 07/30/2008 through 07/27/2009 at Wake county, in the Eastern District of North Carolina defendant(s) did, (Track Statutory Language of Offense)

provide material support or resources or conceal or disguise the nature, location, source, or ownership of material support or resources, knowing or intending that they are to be used in preparation for, or in carrying out, a violation of section 956, that is, conspiring with one or more persons to commit, at any place outside the jurisdiction of the United States, an act that would constitute the offense of murder if committed in the special maritime and territorial jurisdiction of the United States and in so doing, commit an act within the United States to effect an object of such conspiracy.

in violation of Title 18 United States Code, Section(s) 2339A and 956.

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit hereby incorporated by reference as if fully restated herein.

Continued on the attached sheet and made a part hereof:

Yes No
[Signature]
Signature of Complainant

**Jason R. Maslow
Special Agent
Federal Bureau of Investigation**

Sworn to before me and subscribed in my presence,

4/19/10
Date
William A. Webb
United States Magistrate Judge
Name & Title of Judicial Officer

at Raleigh, North Carolina
-City and State
[Signature]
Signature of Judicial Officer

SEALED MATERIAL

AFFIDAVIT

I, Jason R. Maslow, being duly sworn, depose and say:

1. I have been a Special Agent of the Federal Bureau of Investigation (FBI) for nineteen months. During that time, I have conducted investigations in counter-terrorism cases in the United States and overseas. I have received training in criminal enterprise, conducting criminal and intelligence investigations, conducting searches and seizures, and effecting criminal arrests.

2. I am familiar with the information contained in this affidavit based upon the investigation I have conducted and based on conversations with other law enforcement officers who have engaged in investigations involving counter-terrorism.

3. This affidavit is respectfully submitted in support of an application for an Arrest Warrant for BAJRAM ASLLANI, a/k/a "Bajram Aslani", a/k/a "Ebu Hatab". Because the limited purpose of the affidavit is to secure an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that BAJRAM ASLLANI committed violations of 18 U.S.C. Section 2339A, Conspiracy to Provide Material Support or Resources to

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Terrorists and of 18 U.S.C. Section 956(a), Conspiracy to Kill, Kidnap, Maim, or Injure Persons or Damage Property in a Foreign Country.

4. BAJRAM ASLLANI, a/k/a "Bajram Aslani", a/k/a "Ebu Hatab" was born August 12, 1980, is a Kosovar National, and carries a United Nations Mission in Kosovo (UNMIK) identification card number 1005273940. His current residence: Mbreteresha Teuta Number 15, Mitrovica, Kosovo.

5. The Affiant believes there is probable cause to establish that BAJRAM ASLLANI committed the following Federal offenses:

- 18 U.S.C. Section 2339A, Conspiracy to Provide Material Support or Resources to Terrorists;
- 18 U.S.C. Section 956(a), Conspiracy to Kill, Kidnap, Maim, or Injure Persons or Damage Property in a Foreign Country.

6. In support hereof, the Affiant alleges:

7. From on or about March 11, 2006, through at least July 27, 2009, DANIEL PATRICK BOYD, a/k/a "Saifullah," HYSEN SHERIFI, ANES SUBASIC, ZAKARIYA BOYD, a/k/a "Zak," DYLAN BOYD, a/k/a "Mohammed," JUDE KENAN MOHAMMAD, MOHAMMAD OMAR ALY HASSAN, ZIYAD YAGHI, and BAJRAM ASLLANI, a/k/a "Bajram Aslani", a/k/a "Ebu Hatab," did conspire to provide material support and resources,

in the form of currency, training, transportation, weapons, expert assistance, and personnel, knowing and intending that they were to be used in preparation for, and in carrying out, a Conspiracy to murder, kidnap, maim or injure persons in a foreign country.

8. These individuals additionally conspired to commit outside the United States an act that would constitute murder if committed in the special maritime and territorial jurisdiction of the United States, and in so doing, committed at least one act within the jurisdiction of the United States to effect at least one object of the conspiracy.

9. The ultimate object of the conspiracy was to advance violent *jihād*¹, or holy war to be waged against infidels, including supporting and participating in terrorist activities in specific locations outside the United States and conspiring to commit acts of murder, kidnapping or maiming persons outside the United States. It was part of the conspiracy that the defendants and their coconspirators prepared to become "mujihadeen" or holy warriors, and die "shahid"—that is, as martyrs in furtherance of violent *jihād*. It was further a part

¹As in many languages, the Arabic terms mentioned within this affidavit may be subject to multiple interpretations; however, the interpretations provided are those that the Affiant believes

of the conspiracy that certain of the defendants radicalized others, mostly young muslims or converts to Islam, to believe in "fard 'ayn," the idea that violent *jihad* was a personal obligation on the part of every good Muslim. It was further part of the conspiracy to offer training in weapons and financing, and to assist in arranging overseas travel and contacts so the others could wage *violent jihad*. It was a part of the conspiracy to raise money to support the defendants' efforts in training and provision of personnel, and to disguise the destination of such monies from the donors. It was further a part of the conspiracy to obtain weapons like the AK-47, to develop familiarity and skills with the weapons of choice used by *mujihadeen* in Afghanistan and elsewhere. It was further part of the conspiracy that members of the conspiracy used codes and other techniques to cover, conceal, and disguise their true activities.

10. The individuals listed in paragraph 7 are named defendants in an Indictment currently pending in the Eastern District of North Carolina which charges a Conspiracy to Provide Material Support or Resources to Terrorists, 18 U.S.C. § 2239A, and Conspiracy to Kill, Kidnap, Maim, or Injure Persons or

to be intended to have been expressed by the defendants in context of their other speech and actions.

Damage Property in a Foreign Country, 18 U.S.C. § 956(a). This affidavit is intended to articulate the basis for the affiant's conclusion that evidence now exists that BAJRAM ASLLANI is a member of that conspiracy in that he has had extensive communication with it, made clear his commitment to the conspiracy's criminal objectives, i.e., the waging of violent jihad, repeatedly tasked another co-conspirator with performing acts in support of the criminal objectives, solicited funds from the conspiracy to carry out concrete plans for the establishment of a base of operations in Kosovo and accepted money from the conspiracy (wired from the United States).

Conspiracy Background

11. Beginning on or about July 30, 2008, BAJRAM ASLLANI, a/k/a "Bajram Aslani", a/k/a "Ebu Hatab," entered into what was an ongoing conspiracy. Therefore, it is necessary to some extent to set forth not only his own participation in the described conspiracy, but the nature of that ongoing conspiracy. The evidence establishes:

12. In 2006, a confidential human source (CHS#1) was asked by DANIEL PATRICK BOYD, a/k/a "Saifullah," if he had ever read "Join The Caravan" by Abdallah AZZAM. "Join the Caravan" is a primer concerning the obligation of every Muslim to engage in violent *jihad*. At one point, BOYD asked CHS #1 if he would make

copies of "Join The Caravan," and distribute them to others at the *masjid* (mosque).

13. On April 1, 2008, BOYD informed SHERIFI that he went to Jordan during the summer of 2007 "to look for a way" and then counseled SHERIFI to be careful and told him about a *mujihadeen* who was arrested and tortured in Syria while trying to cross the border into Iraq to join *jihad*.

14. During an April 5, 2008, conversation involving BOYD, SHERIFI, and SUBASIC, they agreed that *jihad* is obligatory against the *kuffar* (non-believers). BOYD additionally mentioned having sent a copy of "Defense of Muslim Lands" by Abdullah AZZAM to SHERIFI. BOYD stated that he has much of AZZAM's writings and "I love this man."

15. On April 22, 2008, SHERIFI informed BOYD that he was considering going to Yemen or Syria and stated, "Syria has a border next to where there is *jihad*." BOYD then informed him that "there is good study in Yemen, but only so far" and that studying the religion of Islam will "lead you to the battlefield. Period." SHERIFI stated that he knows this and BOYD replied that it is "part of a bigger deception."

16. On April 28, 2008, BOYD sent SHERIFI an e-mail, which had as attachments *jihadist* literature written by Abdullah AZZAM, which extolled the virtues of dying *shahid*.

17. On June 15, 2008, BOYD stated to SHERIFI that "we have a mission," and that "it's gonna hurt some people." SHERIFI later questioned whether if he did what "the brothers" did in New Jersey and if he died there, whether Allah would take him as a martyr to which BOYD replied "God willing, yes, if it is the best you could do." The Affiant believes this reference to "the brothers" to be to a well-publicized 2007 plot in which six radical Islamist men conspired to stage an attack against military personnel stationed at Fort Dix, New Jersey.

18. On June 17, 2008, CHS #1 watched BOYD demonstrate to SHERIFI how to use and operate a Kalashnikov rifle (AK 47) in BOYD's home. SHERIFI told CHS #1 at that time he had handled weapons at BOYD's house on one other occasion. SHERIFI also told CHS #1 that he had given money to BOYD for the sake of Allah. This was understood by CHS #1 to mean that the funds had been provided in support of violent *jihad* because of his experience in discussing such matters with both SHERIFI and BOYD as well as the fact that CHS #1 had also provided funds to BOYD for what he understood to be in support of *violent jihad*.

19. On June 19, 2008, BOYD told SHERIFI that while in Afghanistan, he would think about how he could "take America" and that even now, when he is driving, he thinks about the strategy required to take certain roads. He then stated that he

cannot help from thinking like that because he has seen the reality of the few vanquishing the many. At one point, SHERIFI mentioned that he went to an immigration hearing and was told that his application would take another month to process. BOYD replied that this will happen over and over. BOYD asked if this meant that "they" are not letting SHERIFI practice Islam. SHERIFI replied yes, and then BOYD declared "this means you have to make *jihad* on them." In context, Affiant understands this to be a reference to waging *violent jihad*.

20. On or about July 30, 2008, defendant SHERIFI departed from Raleigh, North Carolina to travel to Pristina, Kosovo.

21. On September 11, 2008, BOYD told CHS #1 that BOYD had heard from SHERIFI in Kosovo, and that SHERIFI had told BOYD the "way to go is safe." In context, affiant understands SHERIFI was telling BOYD that SHERIFI had found a path to *violent jihad*. BOYD also said SHERIFI is headed to Syria to meet with the *Emirs*, or leaders, and BOYD had requested SHERIFI ask the Emirs if they need men, or money, that BOYD was ready to help.

22. BOYD told CHS #1 on October 21, 2008 that CHS #1 must find people he can trust who can give money. BOYD told CHS #1 not to tell those people what the money is for, rather, say it is for the sake of Allah. According to BOYD, "When Allah brings you the JUDE [MOHAMMAD], Hysen [SHERIFI], Salaman, Sufyan, you

don't know the last two, they went to Kashmir, we tell these boys this is your fate, your destiny. You have to do it without letting them know you are doing it."

23. BOYD gave CHS #1 a Smith & Wesson .38 caliber handgun, holster, and ammunition on November 3, 2008, and told CHS #1 it would cost \$400. BOYD also told CHS #1 that he had heard from SHERIFI, SHERIFI had requested BOYD tell all "the brothers" salaam, and this meant SHERIFI was moving on. (As SHERIFI was in Kosovo at the time of this statement, the Affiant understands this reference to "the brothers" to mean the members of the conspiracy located in North Carolina). BOYD wished his son ZAK were with SHERIFI. BOYD then commented that something would happen here in America, by an American who knows the way of the American people.

24. On November 26, 2008, CHS #1 received an e-mail from SHERIFI, who was then in Kosovo, indicating that things "were going as planned" and that "Allah had opened a way" for him.

25. While in Kosovo, on January 23, 2009, SHERIFI told CHS #2 that he had traveled to Kosovo to practice "*sharia*", or strict adherence to Islamic laws as regards both civil and religious aspects of one's life, and that he follows extreme practices which even allows for violence against Muslims, if they fail to practice their religion.

26. On January 28, 2009, SHERIFI told CHS #2 that he is often asked why he left North Carolina and that he wants to answer that it is for terrorism, but he must cut himself off from doing so.

27. On January 31, 2009, SHERIFI said he wanted to die *shahid* as a suicide bomber in Afghanistan.

28. On February 6, 2009, SHERIFI told CHS #2 he could get handguns, grenades, and AK-47's and stated the costs for each. SHERIFI said money was the only thing holding him back from going somewhere to fight, and went on to discuss locations such as Chechnya, Iraq, and Palestine. SHERIFI told CHS #2 that someone back in North Carolina could help CHS #2 get to Somalia.

Asllani's Involvement

29. While in Kosovo, SHERIFI established a relationship with the user of the email account ebu hatab@hotmail.com, believed to be ASLLANI. "Ebu" is similar to the Arabic term for "Abu" which means "Father". According to Kosovan records, ASLLANI's oldest child is named "Hatab". It is common practice for those in the Muslim world to reference themselves as the father or mother of their child. For this reason, the Affiant believes that this email address is intended to convey that it is the email address of the father of Hatab.

30. As further set forth below, repeated references to BAJRAM ASLLANI stem from co-conspirators' direct identification of him, or reference to "a brother" in Kosovo, with additional and significant identifiers such that there is probable cause to identify "the brother" as ASLLANI. For instance, SHERIFI made repeated statements to the Indicted co-conspirators here in the United States that he had "a brother" advising him in Kosovo; that the brothers in Kosovo wanted to buy land from which to operate; and that the videos he was translating were for "the brother." In each such reference, details such as prior arrests and involvement in other terrorism events were given that match details of ASLLANI's past. Often, terrorists adhering to an extreme view of the Islamic faith premised on obligatory involvement in a violent "jihad", or holy war, use the term "brother" as a matter of discretion to refer to a like-minded individual, rather than actually naming the "brother." Thus, use of "ebu hatab" as an email address is one of many identifiers that the "brother" from Kosovo that SHERIFI refers to is in fact ASLLANI.

31. SHERIFI wanted to begin fighting immediately, but on February 11, 2009, ASLLANI emailed SHERIFI and advised waiting because the *mujihadeen* were not accepting persons without already having skills. In the interim, ASLLANI told SHERIFI to

hold off on traveling and be patient with *jihād* because something was going to happen in Kosovo. Based on information contained in paragraphs 36 and 39, The Affiant believes that ASLLANI was referring to establishing a town within Kosovo which would serve as a base of operation from which they could travel for *jihād* or conduct *jihād* in Kosovo and the surrounding region. They could use such a town as a safe haven for their families and to store weapons.

32. On February 13, 2009, SHERIFI showed CHS #2 that he was instant messaging with ASLLANI, who at the time was using the screen name "Ebu Hatab", who was from Mitrovica, Kosovo and who was "wanted." These further provide identifiers establishing "Ebu Hatab" to be BAJRAM ASLLANI. Records from Kosovo establish that during this time period ASLLANI did in fact live in Mitrovica. Moreover, ASLLANI was a "wanted" person during this time. The country of Serbia, which borders Kosovo, was investigating and prosecuting a case that involved amongst others, ASLLANI. In fact, in September, 2009, ASLLANI was convicted in absentia by a Serbian court for planning terrorist related offenses and sentenced to 8 years confinement.

33. On this same date, SHERIFI translated the chat message for CHS #2. In this message, ASLLANI included a web link for a video to be translated by SHERIFI. CHS #2 observed this video,

which depicted a suicide bomber attacking a United States convoy of vehicles. CHS #2 understood that once translated, the *jihadi* material would then be posted by Ebu Hatab on the internet for others to view, in an effort to encourage others to engage in or support similar violent activity.

34. On February 21, 2009, SHERIFI again expressly stated to CHS #2 his goal was to die *shahid*.

35. Through a series of e-mails and meetings, SHERIFI provided CHS #2 materials for the purpose of radicalization, and encouraged CHS #2 to engage in violent *jihad*.

36. On March 3, 2009, SHERIFI communicated with CHS #2 and said he was waiting to speak with "the brother" (ASLLANI) there in Kosovo again before traveling. According to SHERIFI, "the brother" (ASLLANI) once had many connections but not since he had been arrested. SHERIFI noted that "the brother" (ASLLANI) had been arrested in Kosovo, was under watch, and was unable to leave Kosovo. This is yet another identifier establishing "the brother" in Kosovo, that SHERIFI had formed a relationship with, was in fact ASLLANI. ASLLANI had been arrested in September 2007 by Kosovoan law enforcement based on information they had gleaned regarding the Serbian investigation into ASLLANI. According to Kosovoan authorities, they did in fact place ASLLANI on house arrest for a period of time.

37. SHERIFI said he talked to ASLLANI online all the time, ASLLANI stays home online and works with one website. SHERIFI said "some of us train but we have to be careful, so we keep it down low, there are a lot of brothers that would join."

38. On March 11, 2009, SHERIFI told CHS #2 that the brothers, including ASLLANI, were trying to get money to buy land in Mitrovica so they could have their own community. SHERIFI further stated that the brothers, including ASLLANI, are looking to buy lots of weapons of all kinds, and he needed money to support them in that cause. SHERIFI told CHS #2 he may go back to North Carolina for money.

39. SHERIFI contacted CHS #1 in early 2009 to report the brothers needed financial support and men. CHS #1 floated the idea of SHERIFI returning to the U.S. to work for money, as well as gather money while here.

40. On March 31, 2009, DANIEL BOYD told CHS #1 that it is good that SHERIFI was returning to North Carolina because they could set up an account to help the *mujihadeen*. It is the Affiant's belief that given the above-described relationship between SHERIFI and ASLLANI, as well as ASLLANI's activities, described herein, that BOYD intended to assist this particular *mujihadeen* known by SHERIFI.

41. On April 5, 2009, defendant SHERIFI returned to the

United States for the purpose of soliciting funds and personnel to support the *mujihadeen*. Upon his return, SHERIFI told a CHS here in the United States that the brothers, including ASLLANI, are planning on taking over Kosovo and conducting *jihad*. They were trying to find a place they could keep the weapons and ammunition. SHERIFI stated if we could buy a lot of land then we could put the weapons there. SHERIFI explained they used the code, put the "meat" and "bread" there. SHERIFI suggested they could use money transfers from Western Union to get the money to Kosovo.

42. On April 13, 2009, DANIEL BOYD asked SHERIFI if he could handle someone going back with him to Kosovo and SHERIFI replied affirmatively. DANIEL BOYD talked with a CHS about getting money to brothers in that region and raising money for SHERIFI. It is the Affiant's belief, based on the information in this affidavit, that it was the intention of the conspirators to support ASLLANI and others, in establishing a base in Kosovo from which they could wage *violent jihad*.

43. On April 21, 2009, ASLLANI, using ebu_hatab@hotmail.com, emailed SHERIFI a web link and requested translation of a video promoting *violent jihad*. The weblink was to <http://theunjustmedia.com/clips/Pales/april09/How%20to%20prevent%20Repeat%20of%20Gaza%20Holocoust.htm>.

44. On April 30, 2009, ASLLANI, using ebu hatab@hotmail.com, emailed SHERIFI to ask if SHERIFI had finished the video, and requested SHERIFI send it back to ASLLANI.

45. On May 1, 2009, DANIEL BOYD told CHS # 1 that ZAKARIYA BOYD is ready to travel with SHERIFI. DANIEL BOYD told ANES SUBASIC that he and his sons are going. The Affiant believes DANIEL BOYD was making a reference to the return trip to Kosovo for which SHERIFI already had a plane ticket to travel for in July 2009.

46. On May 5, 2009, SHERIFI told CHS # 2 that someone he knew was going to give him \$15,000 to \$20,000 to buy a farm in Kosovo, and DANIEL PATRICK BOYD, a/k/a "Saifullah", told SHERIFI to give the money to the *mujihadeen* and they would take care of the poor.

47. On May 10, 2009, HYSEN SHERIFI was present at DANIEL PATRICK BOYD's, a/k/a "Saifullah", house with members of this conspiracy, when he stated that "some brothers" from Sanjak tried to attack a base or something and got caught. HYSEN SHERIFI said "BAJRAM ASLLANI" was a part of this operation and said to Google his name. Here, the Affiant believes the reference to "some brothers" is to ASLLANI and associates in Kosovo.

48. On May 12, 2009, SHERIFI told CHS # 1 that the next time they are with DANIEL PATRICK BOYD, a/k/a "Saifullah," they need to get online and chat with the person from Kosovo. SHERIFI stated that he would say that he would give the \$15,000 to \$20,000 to the needy in Kosovo, but he would in fact use the money to buy land.

49. On May 18, 2009, SHERIFI emailed ASLLANI at ebu hatab@hotmail.com, and stated he had not finished the translation yet and then asked if ASLLANI had found a place to check out where they could have a farm with sheep and cows and things like these.

50. On May 27, 2009, SHERIFI told CHS # 1 that he wanted to make money, go to Kosovo, buy land, call the good brothers, and make *sharia* law there.

51. On June 10, 2009, defendants DANIEL PATRICK BOYD, a/k/a "Saifullah," SHERIFI, ZAKARIYA BOYD, a/k/a "Zak," and DYLAN BOYD, a/k/a "Mohammed," practiced military tactics and the use of weapons on private property in Caswell County, North Carolina.

52. On June 16, 2009, SHERIFI was typing on a computer and told CHS # 1 that they arrested ASLLANI, who does not have any travel papers but wants to travel. SHERIFI talked about getting the brothers together when he gets back home so they can do

something there.

53. On June 25, 2009, SHERIFI sent \$80.00 United States dollars (USD) to ASLLANI in Mitrovica, Kosovo. This is another fact confirming that the brother in Kosovo whom SHERIFI repeatedly spoke of was in fact ASLLANI. Western Union records display that the money was sent from SHERIFI to an individual named ASLLANI. This additionally displays that the individual SHERIFI was communicating with via computer was ASLLANI as SHERIFI described the person he communicated with as needing assistance to obtain his travel papers.

54. On June 26, 2009, ASLLANI, UNMIK identification card number 1005273940, date of birth August 12, 1980, picked up \$55.68 euros in Mitrovica, Kosovo, which was sent from SHERIFI in Raleigh, North Carolina. \$55.68 euros was the equivalent of \$80.00 USD on the currency exchange rate that day. Kosovo authorities confirm that the individual they know to be ASLLANI later presented himself at the Kosovo Government facility at which travel documents would be obtained.

55. On June 29, 2009, a CHS saw SHERIFI chatting online. SHERIFI commented that "the brother" (ASLLANI) he was chatting with was in Kosovo and was a real *mujihadeen* who had been in jail. SHERIFI related that this brother (ASLLANI) told SHERIFI to go to the masjid and ask people for money for the *mujihadeen*.

SHERIFI also explained that this brother (ASLLANI) wanted to buy land to build houses to hide guns to take power in Kosovo. SHERIFI said he sent money to this brother (ASLLANI) in Kosovo to help him get his passport back home. SHERIFI stated that he told the brother (ASLLANI) they would have to "hit the mountains" because ASLLANI does not have papers because he was charged with terrorism. SHERIFI told ASLLANI to go apply and see what they are going to do. The Affiant believes that when placed in context with the information supplied previously, this "brother" is in fact ASLLANI.

56. On July 5, 2009, SHERIFI was chatting on the computer and told DYLAN BOYD, a/k/a "Mohammed", he was talking to a brother (ASLLANI) who lived an hour and a half from him when he was in Kosovo. As further evidence that this brother in Kosovo is ASLLANI, this corresponds to the distance from Gjilan, where SHERIFI had been living in Kosovo, to Mitrovica, where ASLLANI is known to have lived. SHERIFI also discussed the code "meat for the wedding," which was within the chat communication taking place between SHERIFI and the brother (ASLLANI) on the computer. SHERIFI made motions indicating that it referenced weapons, and he and DYLAN then discussed types and costs of anti-aircraft weapons.

57. On July 7, 2009, defendants DANIEL PATRICK BOYD, a/k/a

"Saifullah," SHERIFI, ZAKARIYA BOYD, a/k/a "Zak," and DYLAN BOYD, a/k/a "Mohammed," practiced military tactics and the use of weapons on private property in Caswell County, North Carolina. At this time, BOYD stated one of the firearms was "for the base" and that some of the ammo being used was "to attack the Americans." In context, the Affiant believes this was a reference to a potential attack on Quantico Marine Base here in the United States.

58. On July 8, 2009, SHERIFI and DYLAN BOYD, a/k/a "Mohammed," discussed the brother (ASLLANI) with whom SHERIFI was chatting on the computer. SHERIFI stated this was the guy who got out of prison and further stated that the case was ongoing and the guy had been under house arrest and was under surveillance.

59. On July 19, 2009, SHERIFI and ZAKARIYA BOYD chatted online with the same brother (ASLLANI) from Kosovo. SHERIFI stated that the stuff they are doing here in the United States would get them arrested if they were somewhere else like Kosovo.

60. On July 21, 2009, SHERIFI met with an individual in the United States who gave SHERIFI a check for \$15,000 USD.

61. On July 23, 2009, SHERIFI deposited \$5,000 USD into his bank account and maintained possession of \$10,000 cash to carry back to Kosovo.

62. On July 27, 2009, SHERIFI and six other members of this conspiracy were arrested in Raleigh, North Carolina.

63. As set forth above, there is probable cause to believe that:

- SHERIFI intended to pursue violent jihad overseas meaning that he intended to engage in violence that would result in his dying as a martyr;
- While in Kosovo, SHERIFI formed a relationship with BAJRAM ASLLANI, who used the email account ebu_hatab@hotmail.com and the computer chat screen name "Ebu Hatab" and SHERIFI often referred to ASLLANI as "the brother" or "the brother in Kosovo";
- ASLLANI provided SHERIFI with documents and videos related to violent *jihad* for the purpose of translating them; which, in context, was so that they could later be used as propaganda materials to recruit others to engage in violent *jihad* and to motivate those currently involved in violent *jihad*; SHERIFI did in fact translate materials provided to him by ASLLANI;
- BAJRAM ASLLANI directed SHERIFI to return to the United States to collect money for the purpose of later being used to purchase land and establish a town in which they could store weapons and ammunition, as well as use as a base of operations for conducting *jihad* in Kosovo and other countries. And,

SHERIFI did in fact return to the U.S. and collect money for this purpose.

- BAJRAM ASSLANI received money from SHERIFI that was sent with the intention of being used by ASSLANI to obtain travel documents;
- DANIEL BOYD stated his desire to assist SHERIFI in his plan to raise money for the *mujihadeen* in Kosovo. DANIEL BOYD stated he wanted to send his sons and himself over to Kosovo after SHERIFI returned. DYLAN BOYD and ZAKIRIYA BOYD spent time online with SHERIFI chatting with ASSLANI in Kosovo.

64. The Affiant knows that Provision of Material Support or Resources to Terrorists may include personnel (to include oneself), training, expert assistance, transportation, and weapons; and that this offense includes whoever conspires to provide material support or resources to terrorists, knowing or intending that they are to be used in preparation for, or in carrying out, a violation of another Federal offense or violation, is a violation of 18 U.S.C. Section 2339A.

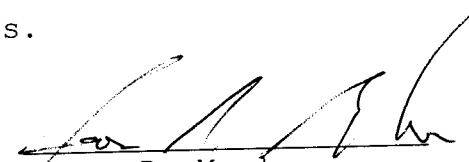
65. The Affiant knows that Conspiracy to Kill, Kidnap, Maim, or Injure Persons or Damage Property in a Foreign Country includes whoever within the jurisdiction of the United States, conspires with one or more persons, regardless of where such other persons are located, to commit at any place outside the

United States an act that would constitute the offense of murder, kidnapping, or maiming if committed in the special maritime and territorial jurisdiction of the United States shall, if any of the conspirators commits an act within the jurisdiction of the United States to effect any object of the conspiracy is a violation of 18 U.S.C. Section 956(a).

66. Based upon this information, there is probable cause to believe that ASLLANI did violate Federal law as set forth in 18 U.S.C. Section 2339A, Provision of Material Support or Resources to Terrorists and as set forth in 18 U.S.C. Section 956(a), Conspiracy to Kill, Kidnap, Maim, or Injure Persons or Damage Property in a Foreign Country.

67. The Affiant respectfully submits that as detailed above, there is credible, convincing proof to establish Probable Cause that BAJRAM ASLLANI is a member of the conspiracy charged in the Indictment currently pending against the defendants listed in Paragraph 7. Specifically, ASLLANI has had repeated communication with the conspiracy in which he makes very clear that he is committed to and working toward the same criminal objectives, solicited money from the conspiracy for the purpose of establishing a base of operations for the conspiracy's objectives, tasked the conspiracy with completing work to further these objectives, and accepted money from the conspiracy

for the purpose of enabling him to travel so that he could pursue the conspiracy's objectives.



Jason R. Maslow
Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN
before me this 19th day of April 2010


UNITED STATES MAGISTRATE JUDGE