

United States District Court For The District of Columbia

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

WESAM AL DELAEMA,
also known as Wesam Khalaf Chayed Delaeme
DOB: 2/15/1973

CASE NUMBER: **05 - 0420M - 01**

(Name and Address of Defendant)

I, MICHAEL R. O'CALLAGHAN, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:


See Attachment A.

in violation of Title 18 United States Code, Section(s) 2332(b)(2), 2332a(a)(1)&(3), 924(c), 924(o) and 2.

I further state that I am Michael R. O'Callaghan, Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:


See Attached Affidavit

Continued on the attached sheet and made a part hereof: Yes No


ADSA, GREGG A. MAISEL (202) 514-7746
Sworn to before me and subscribed in my presence,

Michael R. O'Callaghan
Signature of Complainant
Michael R. O'Callaghan, Special Agent
Federal Bureau of Investigation

JUL 27 2005
Date
DEBORAH A. ROBINSON
U.S. MAGISTRATE JUDGE

at Washington, D.C.
City and State

Signature of Judicial Officer

Name & Title of Judicial Officer

ATTACHMENT A**Count One**

1. All of the acts referred to in this Complaint were committed in Iraq and elsewhere outside of the jurisdiction of any particular state or district of the United States, but within the extraterritorial jurisdiction of the United States and, therefore, pursuant to Title 18, United States Code, Section 3238, within the venue of the United States District Court for the District of Columbia.
2. From in or about October 2003 through on or about May 2, 2005, in Iraq and elsewhere outside the United States, the defendant, **Wesam Al Delaema**, also known as Wesam Khalaf Chayed Delaeme, did knowingly and intentionally combine, conspire, confederate and agree with other co-conspirators, both known and unknown, to commit a killing that is murder as defined in Title 18, United States Code, Section 1111(a), of a United States national outside the United States.
3. In furtherance of the aforesaid conspiracy and to accomplish the object thereof, the defendant, **Wesam Al Delaema**, also known as Wesam Khalaf Chayed Delaeme, together with his co-conspirators, both known and unknown, committed the following overt acts, among others:
 - a. In or about October 2003, the defendant, **Wesam Al Delaema**, also known as Wesam Khalaf Chayed Delaeme, traveled from the Netherlands to an area in or around Fallujah, Iraq.
 - b. In or about October 2003, the defendant, **Wesam Al Delaema**, also known as Wesam Khalaf Chayed Delaeme, and other co-conspirators, calling themselves the "Fighters of Fallujah," declared their intentions to kill Americans in Iraq using destructive devices and other means.
 - c. In or about October 2003, the defendant, **Wesam Al Delaema**, also known as Wesam Khalaf Chayed Delaeme, and other co-conspirators hid destructive devices and detonating cords in a road in or around Fallujah.

(Conspiracy to Murder a United States National Outside the United States, in violation of Title 18, United States Code, Section 2332(b)(2))

Count Two

1. Paragraphs One and Three of Count One of this Complaint are hereby incorporated by reference as if fully realleged and restated herein.
2. In or about October 2003, in Iraq and elsewhere outside the United States, the defendant, **Wesam Al Delaema**, also known as Wesam Khalaf Chayed Delaeme, did knowingly and intentionally combine, conspire, confederate and agree with other co-conspirators, both known and unknown, to use a weapon of mass destruction, that is, a destructive device, against a national of the United States while such national was outside of the United States and against property that was owned, leased and used by the United States outside the United States.

(Conspiracy to Use a Weapon of Mass Destruction, in violation of Title 18, United States Code, Section 2332a(a)(1)&(3))

Count Three

1. Paragraph One of Count One of this Complaint is hereby incorporated by reference as if fully realleged and restated herein.
2. In or about October 2003, in Iraq, the defendant, **Wesam Al Delaema**, also known as Wesam Khalaf Chayed Delaeme, and others, known and unknown, knowingly possessed a firearm, that is, a destructive device, during, in relation to and in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, that is, conspiracy to murder a United States national outside the United States, as set forth in Count One of this Complaint, and conspiracy to use a weapon of mass destruction, as set forth in Count Two of this Complaint.

(Possession of a Destructive Device During a Crime of Violence and Aiding and Abetting and Causing an Act to be Done, in violation of Title 18, United States Code, Sections 924(c) and 2)

Count Four

1. Paragraph One of Count One of this Complaint is hereby incorporated by reference as if fully realleged and restated herein.
2. In or about October 2003, in Iraq, the defendant, **Wesam Al Delaema**, also known as Wesam Khalaf Chayed Delaeme, did knowingly and intentionally combine, conspire, confederate and agree with other co-conspirators, both known and unknown, to commit an offense under Title 18, United States Code, Section 924(c), that is, to possess a firearm, that is, a destructive device, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, conspiracy to murder a United States national outside the United States, as set forth in Count One of this Complaint, and conspiracy to use a

weapon of mass destruction, as set forth in Count Two of this Complaint.

(Conspiracy to Possess a Destructive Device During a Crime of Violence, in violation of Title 18, United States Code, Sections 924(o))