



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

08 CRIM. 887

UNITED STATES OF AMERICA

- v. -

MOHAMED FORNAH,
a/k/a "AJ,"
UMU KAMARA,
a/k/a "Umu,"
MUHAMMAD MUSTAPHA,
a/k/a "Mohamed Mustapha,"
a/k/a "Mohamed Sanusi Mustapha,"
SAHID KABIA,
CHERNOR BAH,
a/k/a "Saliou,"
FATMATA BARRIE,
MELVIN LEWIS,
ERIC HAYNES,
a/k/a "White Boy,"

Defendants.

SEALED
INDICTMENT

08 Cr. _____

JUDGE DANIELS

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED SEP 17 2008

COUNT ONE

(Conspiracy to Transport and Sell Stolen Vehicles)

Background

1. At all times relevant to this Indictment, a shipping company ("Shipping Company"), located in Sayerville, New Jersey, was engaged in the business of shipping cars, among other goods, to and from international destinations.

2. At all times relevant to this Indictment, SAHID KABIA, the defendant, was employed at a BMW dealership located in Morristown, New Jersey.



The Scheme

3. From at least in or about April 2008, through on or about September 17, 2008, MOHAMED FORNAH, a/k/a "AJ," UMU KAMARA, a/k/a "Umu," MUHAMMAD MUSTAPHA, a/k/a "Mohamed Mustapha," a/k/a "Mohamed Sanusi Mustapha," SAHID KABIA, CHERNOR BAH, a/k/a "Saliou," FATMATA BARRIE, MELVIN LEWIS, and ERIC HAYNES, a/k/a "White Boy," the defendants, and others known and unknown, engaged in a scheme to steal cars from various locations in the United States, and then transport those stolen cars to Freetown, Sierra Leone, using the Shipping Company.

4. As part of the scheme, MOHAMED FORNAH, a/k/a "AJ," MELVIN LEWIS, SAHID KABIA, and ERIC HAYNES, a/k/a "White Boy," the defendants, and other conspirators known and unknown, stole cars from individuals and car dealerships in New Jersey, Pennsylvania, Delaware, Maryland, and Washington, DC. After stealing the cars, FORNAH, LEWIS, KABIA, HAYNES, and other conspirators known and unknown, caused the stolen cars to be transported to Philadelphia, Pennsylvania.

5. As a further part of the scheme, MOHAMED FORNAH, a/k/a "AJ," UMU KAMARA, a/k/a "Umu," MUHAMMAD MUSTAPHA, a/k/a "Mohamed Mustapha," a/k/a "Mohamed Sanusi Mustapha," SAHID KABIA, CHERNOR BAH, a/k/a "Saliou," FATMATA BARRIE, MELVIN LEWIS, and ERIC HAYNES, a/k/a "White Boy," the defendants, caused stolen




cars to be transported from Philadelphia to the premises of the Shipping Company, in Sayerville, New Jersey.

6. As a further part of the scheme, MOHAMED FORNAH, a/k/a "AJ," UMU KAMARA, a/k/a "Umu," MUHAMMAD MUSTAPHA, a/k/a "Mohamed Mustapha," a/k/a "Mohamed Sanusi Mustapha," SAHID KABIA, CHERNOR BAH, a/k/a "Saliou," and FATMATA BARRIE, the defendants, in an effort to conceal that the cars they sought to ship had been stolen, presented false and fraudulent title information to the Shipping Company.

Statutory Allegation

7. From in or about April of 2008 through on or about September 17, 2008, in the Southern District of New York and elsewhere, MOHAMED FORNAH, a/k/a "AJ," UMU KAMARA, a/k/a "Umu," MUHAMMAD MUSTAPHA, a/k/a "Mohamed Mustapha," a/k/a "Mohamed Sanusi Mustapha," SAHID KABIA, CHERNOR BAH, a/k/a "Saliou," FATMATA BARRIE, MELVIN LEWIS, and ERIC HAYNES, a/k/a "White Boy," the defendants, together with others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Sections 2312, 2313, and 2314 of Title 18 of the United States Code.

8. It was a part and an object of the conspiracy that MOHAMED FORNAH, a/k/a "AJ," UMU KAMARA, a/k/a "Umu," MUHAMMAD MUSTAPHA, a/k/a "Mohamed Mustapha," a/k/a "Mohamed Sanusi



Mustapha," SAHID KABIA, CHERNOR BAH, a/k/a "Saliou," FATMATA BARRIE, MELVIN LEWIS, and ERIC HAYNES, a/k/a "White Boy," the defendants, together with others known and unknown, unlawfully, willfully and knowingly would and did transport in interstate and foreign commerce motor vehicles, knowing the same to have been stolen, in violation of Title 18, United States Code, Section 2312.

9. It was a further part and an object of the conspiracy that MOHAMED FORNAH, a/k/a "AJ," UMU KAMARA, a/k/a "Umu," MUHAMMAD MUSTAPHA, a/k/a "Mohamed Mustapha," a/k/a "Mohamed Sanusi Mustapha," SAHID KABIA, CHERNOR BAH, a/k/a "Saliou," FATMATA BARRIE, MELVIN LEWIS, and ERIC HAYNES, a/k/a "White Boy," the defendants, together with others known and unknown, unlawfully, willfully and knowingly would and did receive, possess, conceal, store, barter, sell and dispose of motor vehicles which had crossed a State and United States boundary after being stolen, knowing the same to have been stolen, in violation of Title 18, United States Code, Section 2313.

10. It was a further part and an object of the conspiracy that MOHAMED FORNAH, a/k/a "AJ," UMU KAMARA, a/k/a "Umu," MUHAMMAD MUSTAPHA, a/k/a "Mohamed Mustapha," a/k/a "Mohamed Sanusi Mustapha," SAHID KABIA, CHERNOR BAH, a/k/a "Saliou," FATMATA BARRIE, MELVIN LEWIS, and ERIC HAYNES, a/k/a



"White Boy," the defendants, together with others known and unknown, unlawfully, knowingly, and wilfully would and did transport, transmit, and transfer in interstate and foreign commerce goods, wares, merchandise, securities and money, of the value of \$5,000 and more, knowing the same to have been stolen, converted, and taken by fraud, in violation of Title 18, United States Code, Section 2314.

Overt Acts

11. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

FIRST SHIPMENT

a. On or about April 21, 2008, MUHAMMED MUSTAPHA, a/k/a "Mohamed Mustapha," a/k/a "Mohamed Sanusi Mustapha," the defendant, called an employee of the Shipping Company ("Shipping Employee") and arranged to deliver stolen cars for shipment overseas.

b. In or about April 2008, MUSTAPHA, and two co-conspirators not named as defendants herein, delivered to the Shipping Company a Chrysler Sebring, which had been stolen at gunpoint in Washington, D.C., and a Chrysler Pacifica, which had been stolen in Philadelphia, Pennsylvania, and presented the Shipping Company with false title information for those cars, for



the purpose of shipping the stolen cars vehicles overseas to Freetown, Sierra Leone.

c. On or about July 21, 2008, SAHID KABIA, the defendant, and MUSTAPHA discussed, in a telephone conversation, the shipment of three stolen cars.

SECOND SHIPMENT

d. On or about May 13, 2008, KABIA gave the Shipping Employee \$500 to ship cars overseas.

e. On or about May 16, 2008, KABIA and another co-conspirator not named as a defendant herein, delivered to the Shipping Company two BMWs, which had been stolen from a BMW car dealership in Morristown, New Jersey, and caused those BMWs to be shipped through the Southern District of New York, en route to Sierra Leone.

f. On or about May 17, 2008, two co-conspirators not named as defendants herein, delivered to the Shipping Company a stolen Toyota RAV 4, and a stolen Toyota Camry, and caused those cars to be shipped through the Southern District of New York, en route to Sierra Leone.

g. On or about June 21, 2008, MOHAMED FORNAH, the defendant, gave the Shipping Employee two false titles in connection with the shipment of two stolen BMWs and two stolen Toyotas to Sierra Leone, which shipment previously had been arranged by KABIA.



h. On or about June 23, 2008, KAMARA, the defendant, and FORNAH, met with the Shipping Employee and discussed the shipment of stolen cars with the employee.

i. On or about June 23, 2008, KAMARA gave the Shipping Employee \$2000 for a shipment of stolen cars.

THIRD SHIPMENT

j. On or about June 14, 2008, FORNAH and KAMARA delivered to the Shipping Company a Ford F 150, which had been stolen in Philadelphia, Pennsylvania, and caused that car to be shipped through the Southern District of New York, en route to Sierra Leone.

k. On or about June 23, 2008, FORNAH and KAMARA presented false title information to the Shipping Company for an Infiniti, Jaguar, Subaru, and Ford F150, for the purpose of shipping the vehicles overseas.

l. On or about June 24, 2008, FORNAH and KAMARA delivered to the Shipping Company an Infiniti, which had been stolen in Philadelphia, Pennsylvania, and caused that car to be shipped through the Southern District of New York en route to Sierra Leone.

m. On or about June 24, 2008, MELVIN LEWIS, the defendant, FORNAH, and KAMARA, delivered to the Shipping Employee a Jaguar, which had been stolen in Cherry Hill, New Jersey, to ship to Sierra Leone.



n. On or about June 24, 2008, FORNAH, KAMARA, and LEWIS delivered to the Shipping Company a Subaru, which had been stolen in Newark, Delaware, and caused that car to be shipped through the Southern District of New York en route to Sierra Leone.

o. On or about June 25, 2008, KAMARA traveled to the premises of the Shipping Company where she monitored the loading of the stolen Infiniti, Ford F150, and Subaru, described in paragraphs 11(j), (l), (m), and (n), above, into a shipping container for shipment to Sierra Leone.

FOURTH SHIPMENT

p. On or about July 14, 2008, FATMATA BARRIE, the defendant, and KAMARA delivered to the Shipping Company a Chevrolet Tahoe, which had been stolen in Philadelphia, Pennsylvania, and a Toyota Tundra, which had been stolen in Newark, Delaware, to be shipped to Freetown, Sierra Leone.

q. On or about July 31, 2008, CHERNOR BAH, the defendant, KAMARA and BARRIE, traveled to the premises of the Shipping Company, where they monitored the loading of a stolen Chevrolet Tahoe and a stolen Toyota Tundra into a shipping container.

FIFTH SHIPMENT

r. On or about July 18, 2008, KAMARA and BAH delivered to the Shipping Company a Nissan Murano, which had been



stolen in Newark, Delaware, and caused that car to be shipped through the Southern District of New York en route to Sierra Leone.

s. On or about July 31, 2008, ERIC HAYNES, a/k/a "White Boy," the defendant, KAMARA, and BAH delivered to the Shipping Company a stolen Saturn, and a Subaru Forester, which had been stolen in Newark, Delaware, and caused those stolen cars to be shipped through the Southern District of New York en route to Sierra Leone.

SIXTH SHIPMENT

t. On or about July 31, 2008, BAH and HAYNES delivered to the Shipping Company a stolen Dodge Durango, a stolen Volkswagen Jetta, a stolen Audi Quattro, and a stolen Volkswagen Passat, for shipment to Sierra Leone.

SEVENTH SHIPMENT

u. On or about August 7, 2008, BAH delivered to the Shipping Company a Mazda CX7, which had been stolen in Aberdeen, Maryland, for shipment to Sierra Leone.

v. On or about August 26, 2008, BAH delivered to the Shipping Company a 2003 Cadillac Escalade, which was taken by fraud, for shipment to Sierra Leone.

(Title 18, United States Code, Section 371.)




COUNTS TWO THROUGH FOUR

(Transportation of Stolen Vehicles)

12. The allegations in paragraphs 1-6 and 11 are repeated, re-alleged and reincorporated as if set forth fully herein.

13. On or about the dates set forth below, in the Southern District of New York and elsewhere, MOHAMED FORNAH, a/k/a "AJ," UMU KAMARA, a/k/a "Umu," SAHID KABIA, CHERNOR BAH, a/k/a "Saliou," MELVIN LEWIS, and ERIC HAYNES, a/k/a "White Boy," the defendants, unlawfully, willfully and knowingly, did transport in interstate and foreign commerce motor vehicles, knowing the same to have been stolen, to wit, on the approximate dates listed below, the defendants listed below caused the stolen vehicles listed below to be transported through the Southern District of New York en route to Sierra Leone.



<u>COUNT</u>	<u>DEFENDANTS</u>	<u>APPROXIMATE DATE</u>	<u>VEHICLES</u>
TWO	FORNAH KABIA KAMARA	May 2008	TWO BMWs TOYOTA RAV 4
THREE	FORNAH KAMARA LEWIS	June 2008	FORD F 150 INFINITI SUBARU
FOUR	KAMARA BAH HAYNES	July 2008	NISSAN MURANO SATURN SUBARU FORESTER

(Title 18, United States Code, Sections 2312 and 2.)

FORFEITURE ALLEGATION

14. As the result of committing one or more of the motor vehicle offenses in violation of Title 18, United States Code, Sections 371 and 2312, as alleged in Counts One, Two Three, and Four of this Indictment, MOHAMED FORNAH, a/k/a "AJ," UMU KAMARA, a/k/a "Umu," MUHAMMAD MUSTAPHA, a/k/a "Mohamed Mustapha," a/k/a "Mohamed Sanusi Mustapha," SAHID KABIA, CHERNOR BAH, a/k/a "Saliou," FATMATA BARRIE, MELVIN LEWIS, and ERIC HAYNES, a/k/a "White Boy," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(5), and Title 28, United States Code, Section 2461, all property, real and personal, that represents or is traceable to the gross proceeds obtained, directly and indirectly, as a result of the motor vehicle and fraud offenses.



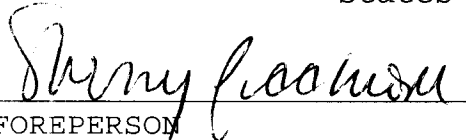
Substitute Asset Provision

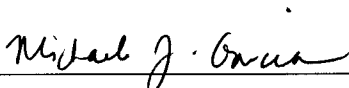
15. If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant(s) up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(5); Title 21, United States Code, Section 853(p), Title 28, United States Code, Section 2461.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney



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Defendants.

INDICTMENT

08 Cr.

(18 U.S.C. §§ 2, 371, 2312)

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL

Foreperson.

Sherry L. Cannon

Sept 12, 2005

Indictment filed for all defts: FORNAH; KAMARA, MUSTAPHA, KABIA, BAH, BARRIE, LEWIS, HAYNES. Indictment filed under seal.

Freeman, L SMJ