

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Texas

Filed 2-3-14
Clerk, U. S. District Court
Western District of Texas
By KZJ Deputy

United States of America
v.
ABDINASSIR MOHAMUD IBRAHIM
Defendant(s)

Case No. SA14-M-108

CRIMINAL COMPLAINT

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

On or about the date(s) of January 31, 2014 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

Code Section 18 USC 1546(a)
Offense Description Fraud and misuse of visas, permits, and other documents

This criminal complaint is based on these facts:

See Attached Affidavit

Continued on the attached sheet.

Handwritten signature of Mark L. Wagoner

Complainant's signature

Special Agent Mark L. Wagoner

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/01/2014

Handwritten signature of Henry J. Bemporad

Judge's signature

City and state: San Antonio, Texas

US Magistrate Henry J. Bemporad

Printed name and title

10 years imprisonment, \$100 mandatory special assessment, and Restitution

COMPLAINT AFFIDAVIT

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI). I have been a Special Agent for over nine years (9) years, and I am currently assigned to the San Antonio Division Joint Terrorism Task Force. I have gained experience in the conduct of such investigations through formal training and on-the-job training. As a federal agent, I am authorized to investigate violations of laws of the United States (U.S.) and to execute warrants issued under the authority of the U.S.

2. This affidavit is being submitted in support of an Application for an Arrest Warrant for **ABDINASSIR MOHAMUD IBRAHIM (Ibrahim)**, date of birth: November 26, 1971, address: 5534 Fredericksburg Road, Apt #105, San Antonio, Texas 78229.

3. On January 31, 2014, Ibrahim was voluntarily transported to the office of the San Antonio Division of the FBI in order to discuss matters related to an ongoing FBI investigation. Upon arrival at the San Antonio Division, Ibrahim was interviewed by Special Agent (SA) Jeff Allovio (Allovio) and SA Larry Baker (Baker). After discussion with SAs Allovio and Baker, Ibrahim asked if he could call his attorney and was allowed to do so by the Agents. After being allowed to consult with his attorney (via telephone call), Ibrahim agreed to continue to talk with SAs Allovio and Baker. Ibrahim offered to fully cooperate with the FBI on all matters. Thereafter, your Affiant joined the interview along with SAs Baker and Allovio. Shortly after your Affiant joined the interview, Ibrahim was advised of his Miranda rights via a FBI form. Ibrahim read the form, indicated he understood it, and agreed to continue to speak to the FBI. Throughout the following interview, Ibrahim was advised he was free to leave at anytime, and he was provided with frequent access to water/soda and restroom breaks. Thereafter, Ibrahim provided the following information:

3.1 Ibrahim was born in Somalia in 1975, and he was of the Somali, Hawiye, Habr Gedir, Ayr, Absiye sub-clan. Ibrahim stated he lied on official U.S. immigration documents when he indicated he was born in 1971. Ibrahim falsified his birth date because he thought he would not be admitted into Kenya-based refugee camps if he was underage. Ibrahim's family was famous, and his father formerly worked for the Somali government. Through his clan lineage, Ibrahim was related to known Somali terrorists, Sheikh Hassan Dahir Aweys (Aweys), and Aden Hashi Ayrow (Ayrow) (deceased). According to the U.S. Department of State, Ayrow was the former leader of the al-Shabaab, which is a U.S. designated foreign terrorist organization (FTO). In addition,

open source reporting confirmed Aweys had been affiliated with the al-Shabaab, and al-Ittihad al-Islami (AIAI), a specially designated global terrorist (SDGT).

3.2 Ibrahim was the eldest child in his family and therefore, he was responsible for providing support to his family. In 1991 Ibrahim departed Somalia and traveled to Kenya in an effort to find employment and support his family. During this period of time, Somalia was unstable and the government had collapsed. In 1992, Ibrahim returned to Mogadishu, Somalia, and resided with his family. From 1993 through 1996, Ibrahim's clan, the Hawiye, controlled Mogadishu. Ibrahim's sub-clan, the Ayr, actively supported the leadership of Mohamed Farah Aideed (Aideed) and his militia, which was better known as the United Somali Congress (USC). In 1993, the U.S. military attempted to apprehend Aideed. During one of the U.S. military's attempts to capture Aideed, a U.S. helicopter crashed in Mogadishu. Once the U.S. military got involved in Somali matters, Ibrahim mentioned he and his family fled to a village outside of Mogadishu due to the U.S. airstrikes which were occurring in and around Mogadishu.

3.3 In 1994, Ibrahim departed Somalia and entered Kenya near Mandera, Kenya. After entering Kenya, Ibrahim traveled to Nairobi, Kenya, and then to Mombasa, Kenya. Upon arrival in Mombasa, Ibrahim was admitted to the Utanga Refugee Camp (Utanga). In order to be admitted to Utanga, Ibrahim deliberately falsified his clan lineage and claimed to be of the Awer minority clan. Ibrahim falsified this information because he was of the majority Hawiye clan, and he would not have been eligible to be admitted as a refugee since his clan had been persecuting minority Somali clans.

3.4 From 1994 until February 1998, Ibrahim resided at Utanga. In February 1998, Ibrahim was transferred to the Kakuma Refugee Camp (Kakuma) where he resided until 2007. In 2007 Ibrahim was granted refugee status in the U.S. based on fraudulent information which indicated he was of the minority Awer clan.

3.5 While residing in Utanga and Kakuma, Ibrahim frequently obtained authorization from Kenyan authorities to travel to Nairobi, Kenya. This authorization typically lasted two to three weeks, before returning to the refugee camps.

3.6 In approximately 1996, Ibrahim met an individual he knew only as "Hamza" in the Eastleigh District of Nairobi. Between 1996 and 1998, Ibrahim forged a close friendship with Hamza.

Ibrahim felt Hamza was his "best friend," and they loved each other. Around the time Ibrahim emigrated to the U.S, his best friend, Hamza, joined the al-Shabaab terrorist group and entered Somalia.

3.7 In approximately 2007, Ibrahim was residing in Emporia, Kansas. Around this time, Ibrahim was contacted by Hamza, who requested Ibrahim to send him money via the use of a U.S.-based Hawala (money remitting business). Hamza stated he needed the money to support his wife. Thereafter, Ibrahim transmitted \$100 to Hamza via the use of a U.S.-based Hawala, which had a branch in Emporia. At this time, Ibrahim knew Hamza had joined the al-Shabaab. Ibrahim confirmed that e-mail account, xamsa79@hotmail.com, which was found on Ibrahim's laptop computer, was the e-mail account used by Hamza.

3.8 Your affiant provided Ibrahim with a copy of his U.S. Department of Justice, Immigration and Naturalization Service, Registration for Classification as Refugee (Form I-590), dated May 24, 2007. Ibrahim reviewed the form and confirmed it was a copy of what he submitted to U.S. immigration authorities. Ibrahim confirmed the form included numerous lies to include his identification as a member of the Awer clan, and the identification of some of his relatives. In addition, Ibrahim confirmed he lied when he stated he fled Somalia in 1991 after the USC militia had killed his mother, and he lied when he stated he never returned to Somalia after 1991. Ibrahim clarified the USC was a group controlled by his clan, the Hawiye, and therefore he could not have been persecuted by them. Ibrahim swore to the contents of Form I-590 on May 24, 2007 before a U.S. Immigration Officer.

3.9 Your affiant provided Ibrahim with a copy of his U.S. Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS), Application to Register as Permanent Resident or Adjust Status (Form I-485), which appeared to be received by USCIS on or about April 16, 2009. Ibrahim reviewed the form and confirmed it was a copy of what he submitted to U.S. immigration authorities. Ibrahim confirmed he lied when he answered "no" to the following question: "Have you ever engaged in, conspired to engage in, or do you intend to engage in, or have you ever solicited membership or funds for, or have you through any means ever assisted or provided any type of material support to, any person or organization that has ever engaged or conspired to engage, in sabotage, kidnapping, political assassination, hijacking, or any other form of terrorist activity?" Ibrahim knew Hamza

was a member of the al-Shabaab when he sent him \$100 in 2007, and he deliberately provided false statements on his application because he did not want the U.S. government to know about this transaction.

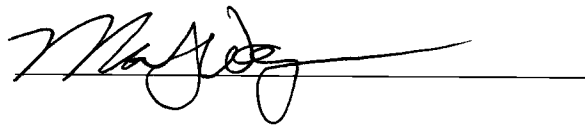
3.10 Ibrahim also confirmed he lied when he answered "no" to the following question: "Are you under a final order of civil penalty for violating section 274C of the Immigration Nationality Act for use of fraudulent documents or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured a visa, or other documentation, entry into the United States or any other immigration benefit?" Specifically, Ibrahim confirmed he lied when he claimed he was of the minority Awer clan, which was the primary basis for his refugee status. In fact, Ibrahim was of the clan which he claimed had persecuted him (i.e., the Hawiye). Ibrahim signed Form I-485 under penalty of perjury.

3.11 Your affiant provided Ibrahim with a copy of his DHS, USCIS, Application for Naturalization (Form N-400), dated October 25, 2012. Ibrahim reviewed the form and confirmed it was a copy of what he submitted to U.S. immigration authorities. Ibrahim confirmed he lied when he answered "no" to the following questions: 1. Have you ever been a member of or in any way associated (either directly or indirectly) with a terrorist organization; 2. Have you ever given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal? and 3. Have you ever lied to any U.S. Government official to gain entry or admission to the U.S.? Specifically, Ibrahim did not want U.S. immigration authorities to know about his association with al-Shabaab member, Hamza, and he lied about being from the minority Awer clan. Ibrahim signed Form N-400 under penalty of perjury.

APPLICATION

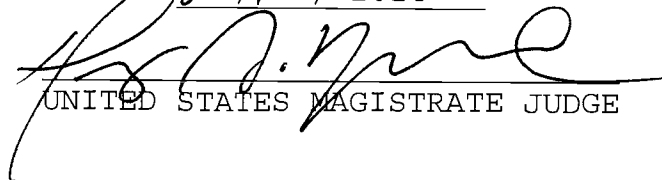
4. Based on the aforementioned facts, your Affiant respectfully submits that there is probable cause to believe that **ABDINASSIR MOHAMUD IBRAHIM** committed U.S. immigration fraud in order to conceal his relationship with Hamza and/or the al-Shabaab, in violation of Title 18, United States Code, Section 1546(a).

Mark L. Wagoner
Special Agent, FBI
San Antonio, Texas



A handwritten signature in black ink, appearing to read 'Mark L. Wagoner', is written over a horizontal line.

SWORN TO BEFORE ME THIS
DAY OF 2 / 11 / 2014



A handwritten signature in black ink is written over a horizontal line. Below the signature, the text 'UNITED STATES MAGISTRATE JUDGE' is printed.

UNITED STATES MAGISTRATE JUDGE