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U.S. Army Translator Re-Sentenced to 108 Months' Imprisonment for Unauthorized Possession of Classified Documents Concerning Iraqi Insurgency and for Using a False Identity

U.S. Attorney's Office
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Eastern District of New York
(718) 254-7000

BROOKLYN, NY—A U.S. Army contract translator was re-sentenced today to 108 months of imprisonment for illegally possessing national defense documents and using a false identity to procure his United States citizenship and to gain access to classified military materials. The proceeding was held before United States District Judge Brian M. Cogan at the U.S. Courthouse in Brooklyn, New York.

Previously, on February 14, 2007, the defendant—whose true identity is still unknown and who goes by various names including Abdulhakeem Nour, Abu Hakim, Nouredine Malki, Almaliki Nour, and Almalik Nour Eddin—pleaded guilty to the unauthorized possession of classified documents charge. On December 20, 2005, the defendant pleaded guilty to the false identity charge. On May 19, 2008, the defendant was originally sentenced to 121 months' imprisonment. That sentence was later reversed on appeal due to an error in the calculation of the advisory United States Sentencing Guidelines range. The case was then remanded for re-sentencing, and Judge Cogan imposed an above-Guidelines sentence.

In August 2003, the defendant used a false identity to apply for and gain a position as an Arabic translator for the L-3 Titan Corp., which provides translation services in Iraq for U.S. military personnel. He then used the same false identity to fraudulently obtain "Secret" and then "Top Secret" security clearances. Subsequently, during assignments in Iraq, the defendant took classified documents from the U.S. Army without authorization. While assigned to an intelligence group in the 82nd Airborne Division of the U.S. Army at Al Taqqadam Air Base, he downloaded a classified electronic document and took hard copies of several other classified documents. The documents detail the 82nd Airborne's mission in Iraq in regard to insurgent activity, such as coordinates of insurgent locations upon which the U.S. Army was preparing to fire in January 2004 and U.S. Army plans for protecting Sunni Iraqis traveling on their pilgrimage to Mecca, Saudi Arabia, in late January 2004. During a later deployment to a U.S. Army base near Najaf, Iraq, the defendant obtained a photograph of a classified battle map identifying U.S. troop routes used in August 2004 during the battle of Najaf, where the U.S. and Iraqi security forces sustained serious casualties. In September 2005, the Federal Bureau of Investigation's Joint Terrorism Task Force recovered these classified documents during a search of the defendant's Brooklyn apartment. One of the documents remains classified and therefore is not described here. In connection with the re-sentencing, the court found that the defendant had intentionally taken the classified materials that were later found in his possession.

"The defendant used fraud and deception to work his way into a position of undeserved trust. He then used that position to steal sensitive data about U.S. troops and their mission. Significant breaches of national security must be prosecuted aggressively," stated United States Attorney Loretta E. Lynch. "Today's re-sentencing ensures that he will spend nine years contemplating the failure of his plans." Ms. Lynch extended her grateful appreciation to the Federal Bureau of Investigation, New York Field Office; the New York City Police Department; and U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), New York, for spearheading the government's investigation and thanked the U.S. Department of Defense for its assistance.

The government's case is being prosecuted by Assistant United States Attorney Daniel Silver. This case was originally prosecuted by former Assistant United States Attorneys John Buretta and Jeffrey Knox.

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