



FILED
U.S. DISTRICT COURT
DISTRICT OF COLORADO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

2003 JUL 21 PM 3:04

GREGORY G. LANGHAM
CLERK

Criminal Action No. 03-CR-127- B

BY _____ DEP. CLK

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. ABDUL QAYYUM,
2. CHRIS MARIE WARREN,
a/k/a Christie Warren,
3. HAROON RASHID,
4. SAIMA SAIMA,
5. IRFAN KAMRAN,
6. SAJJAD NASSER,
a/k/a Sajjad Naseer, and
7. IMRAN KHAN,

Defendants.

SECOND SUPERSEDING INDICTMENT

18 U.S.C. § 371

18 U.S.C. § 1001

8 U.S.C. §§ 1324 (a)(1)(A)(v)(I) and (a)(1)(B)(i)

The Grand Jury charges that:

COUNT ONE

1. From on or about March 4, 1996, to on or about March 21, 2003, in the District of Colorado, and elsewhere, the defendants, **ABDUL QAYYUM, CHRIS MARIE WARREN, a/k/a**

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“Christie Warren,” HAROON RASHID, SAIMA SAIMA, IRFAN KAMRAN, SAJJAD NASSER, a/k/a “Sajjad Naseer,” and **IMRAN KHAN** did knowingly and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to defraud the United States by obstructing, interfering, impairing, impeding and defeating, through fraudulent and dishonest means, the legitimate functioning of the government, that is, the regulation and control of immigration of aliens into the United States.

THE PURPOSE AND OBJECT OF THE CONSPIRACY

2. It was the purpose and object of the conspiracy that **IMRAN KHAN**, an otherwise inadmissible alien, with the assistance of **ABDUL QAYYUM, CHRIS MARIE WARREN, a/k/a “Christie Warren,” HAROON RASHID, SAIMA SAIMA, IRFAN KAMRAN, and SAJJAD NASSER, a/k/a “Sajjad Naseer,”** fraudulently and unlawfully would enter and remain in the United States.

THE MANNER AND MEANS OF THE CONSPIRACY

3. The manner and means by which the defendants sought to accomplish the conspiracy included, among others, the following:

a. At various time between on or about March 4, 1996, and on or about August 19, 1997, through fraudulent and deceptive means, including but not limited to the filing of false immigration documents, one or more of the defendants arranged for the entry of **IMRAN KHAN**, an illegal alien, into the United States.

b. At various times between on or about August 19, 1997, and on or about March 21, 2003, one or more of the defendants provided **IMRAN KHAN** with housing and other forms of support in order to continue his unlawful presence in the United States.

c. At various times between on or about August 19, 1997, and on or about March



21, 2003, one or more of the defendants concealed from and/or falsely represented the true status of **IMRAN KHAN** in the United States in order to continue his unlawful presence in the United States.

OVERT ACTS

4. In furtherance of the conspiracy and to achieve the objects thereof, the defendants committed and caused to be committed in the District of Colorado, and elsewhere, at least one of the following overt acts, among others:

a. On or about March 4, 1996, the defendant, **ABDUL QAYYUM**, filed an immigrant visa petition (also known as an "INS Form I-130") in Denver, Colorado, concerning Imran Khan, and falsely represented therein that Imran Khan was his biological son, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not his biological son

b. On or about March 4, 1996, the defendant, **CHRIS MARIE WARREN**, a/k/a "**Christie Warren**," filed an affidavit of support (also known as an "INS Form I-134") concerning Imran Khan, and falsely represented therein that Imran Khan was her stepson, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not her stepson.

c. On or about August 19, 1997, the defendant, **IMRAN KHAN**, unlawfully entered the United States.

d. On or about December 17, 2002, the defendant, **ABDUL QAYYUM**, falsely stated to a federal agent that Imran Khan was his biological son, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not his biological son.

e. On or about February 10, 2003, the defendant, **SAIMA SAIMA**, falsely stated to a federal agent that Imran Khan was the biological son of Abdul Qayyum, her father, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum.



f. On or about February 11, 2003, the defendant, **IRFAN KAMRAN**, falsely stated to a federal agent that Imran Khan was the biological son of Abdul Qayyum, his father, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum.

g. On or about February 15, 2003, the defendant, **CHRIS MARIE WARREN**, a/k/a "**Christie Warren**," falsely stated to a federal agent that Imran Khan was the biological son of Abdul Qayyum, her husband, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum,

h. On or about March 11, 2003, the defendant, **HAROON RASHID**, falsely stated to a federal agent that Imran Khan was the biological son of Abdul Qayyum when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum.

i. On or about March 11, 2003, in the District of Colorado, the defendant, **SAJJAD NASSER**, a/k/a "**Sajjad Naseer**," falsely stated to a federal agent that Imran Khan was the biological son of Abdul Qayyum, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

On or about December 17, 2002, in the District of Colorado, in a matter within the jurisdiction of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, an agency of the United States, the defendant, **ABDUL QAYYUM**, did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation, that is, did state to a federal agent that Imran Khan was his biological son, when in truth and in fact, as the



defendant then and there well knew, Imran Khan was not his biological son, in violation of Title 18, United State Code, Section 1001.

COUNT THREE


On or about February 15, 2003, in the District of Colorado, in a matter within the jurisdiction of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, an agency of the United States, the defendant, **CHRIS MARIE WARREN, a/k/a "Christie Warren,"** did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation, that is, did state to a federal agent that Imran Khan was the biological son of Abdul Qayyum, her husband, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum, in violation of Title 18, United State Code, Section 1001.

COUNT FOUR

On or about March 11, 2003, in the District of Colorado, in a matter within the jurisdiction of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, an agency of the United States, the defendant, **HAROON RASHID,** did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation, that is, did state to a federal agent that Imran Khan was the biological son of Abdul Qayyum when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum, in violation of Title 18, United State Code, Section 1001.

COUNT FIVE

On or about February 10, 2003, in the District of Colorado, in a matter within the jurisdiction of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, an agency of the United States, the defendant, **SAIMA SAIMA,** did knowingly and willfully make a



false, fraudulent, and fictitious material statement and representation, that is, did state to a federal agent that Imran Khan was the biological son of Abdul Qayyum, her father, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum, in violation of Title 18, United State Code, Section 1001.

COUNT SIX

On or about February 11, 2003, in the District of Colorado, in a matter within the jurisdiction of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, an agency of the United States, the defendant, **IRFAN KAMRAN**, did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation, that is, did state to a federal agent that Imran Khan was the biological son of Abdul Qayyum, his father, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum, in violation of Title 18, United State Code, Section 1001.

COUNT SEVEN

On or about March 11, 2003, in the District of Colorado, in a matter within the jurisdiction of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, an agency of the United States, the defendant, **SAJJAD NASSER, a/k/a "Sajjad Naseer,"** did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation, that is, did state to a federal agent that Imran Khan was the biological son of Abdul Qayyum, when in truth and in fact, as the defendant then and there well knew, Imran Khan was not the biological son of Abdul Qayyum, in violation of Title 18, United State Code, Section 1001.

COUNT EIGHT

From on or about March 4, 1996, to on or about March 21, 2003, in the District of Colorado, and elsewhere, the defendants; **ABDUL QAYYUM, CHRIS MARIE WARREN, a/k/a Christie**



Warren, HAROON RASHID, SAIMA SAIMA, IRFAN KAMRAN, and SAJJAD NASSER, a/k/a Sajjad Naseer, and others known and unknown to the grand jury, did knowingly combine, conspire, confederate and agree, to conceal, harbor and shield from detection, Imran Khan, an alien, knowing and in reckless disregard of the fact that said alien had come to, entered and remained in the United States in violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(v)(I) & (a)(1)(B)(i).

A TRUE BILL

Jannette M. Hansen
 FOREPERSON

JOHN W. SUTHERS
 United States Attorney

David M. Gaolette
 DAVID M. GAOLETTE
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 303-454-0100

David M. Gaolette
 for STEVEN A. TYRRELL, ESQ.
 United States Department of Justice
 Criminal Division
 Counterterrorism Section
 10th & Constitution Ave., N.W.
 Washington, D.C. 20530
 202-514-0849



DATE: July 21, 2003

DEFENDANT: ABDUL QAYYUM

DOB: February 15, 1943

ADDRESS: 2750 South Monroe Street
Denver, Colorado

OFFENSE: **COUNT ONE:**
18 U.S.C. § 371
Knowingly and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to defraud the United States.

COUNT TWO:
18 U.S.C. § 1001
Knowingly and willfully make a false, fraudulent, and fictitious material statement and representation.

COUNT EIGHT:
8 U.S.C. §§ 1324 (a)(1)(A)(v)(I) and (a)(1)(B)(i)
Conspiracy to Conceal, Harbor, or Shield From Detection an Alien

LOCATION
OF OFFENSE: Denver Metropolitan Area

PENALTY: **COUNTS ONE AND TWO:**
NMT Five (5) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

COUNT EIGHT:
NMT Ten (10) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

AGENT: Stuart P. Hoff, Senior Special Agent
Bureau of Immigration and Customs Enforcement
U.S. Department of Homeland Security



AUTHORIZED BY: Steven A. Tyrrell
U.S. Department of Justice, Criminal Division

David M. Gaouette
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less

over five days

other

THE GOVERNMENT

will seek detention in this case

will not seek detention in this case

The statutory presumption of detention is not applicable to this defendant.

OCDETF CASE: Yes No



DATE: July 21, 2003

DEFENDANT: CHRIS MARIE WARREN,
a/k/a Christie Warren

DOB: March 29, 1959

ADDRESS: 2750 South Monroe Street
Denver, Colorado

OFFENSE: **COUNT ONE:**
18 U.S.C. § 371
Knowingly and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to defraud the United States.

COUNT THREE:
18 U.S.C. § 1001
Knowingly and willfully make a false, fraudulent, and fictitious material statement and representation.

COUNT EIGHT:
8 U.S.C. §§ 1324 (a)(1)(A)(v)(I) and (a)(1)(B)(i)
Conspiracy to Conceal, Harbor, or Shield From Detection an Alien

LOCATION
OF OFFENSE: Denver Metropolitan Area

PENALTY: **COUNTS ONE AND THREE:**
NMT Five (5) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

COUNT EIGHT:
NMT Ten (10) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

AGENT: Stuart P. Hoff, Senior Special Agent
Bureau of Immigration and Customs Enforcement
U.S. Department of Homeland Security



AUTHORIZED BY: Steven A. Tyrrell
U.S. Department of Justice, Criminal Division

David M. Gaouette
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less

over five days

other

THE GOVERNMENT

will seek detention in this case

will not seek detention in this case

The statutory presumption of detention is not applicable to this defendant.

OCDETF CASE: Yes No



DATE: July 21, 2003

DEFENDANT: HAROON RASHID,

DOB: 3/3/71

ADDRESS: 500 Jay Street,
Lakewood, Colorado

OFFENSE: **COUNT ONE:**
18 U.S.C. § 371
Knowingly and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to defraud the United States.

COUNT FOUR:
18 U.S.C. § 1001
Knowingly and willfully make a false, fraudulent, and fictitious material statement and representation.

COUNT EIGHT:
8 U.S.C. §§ 1324 (a)(1)(A)(v)(I) and (a)(1)(B)(i)
Conspiracy to Conceal, Harbor, or Shield From Detection an Alien

LOCATION
OF OFFENSE: Denver Metropolitan Area

PENALTY: **COUNTS ONE AND FOUR:**
NMT Five (5) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

COUNT EIGHT:
NMT Ten (10) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

AGENT: Stuart P. Hoff, Senior Special Agent
Bureau of Immigration and Customs Enforcement
U.S. Department of Homeland Security



AUTHORIZED BY: Steven A. Tyrrell
U.S. Department of Justice, Criminal Division

David M. Gaouette
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less

over five days

other

THE GOVERNMENT

will seek detention in this case

will not seek detention in this case

The statutory presumption of detention is not applicable to this defendant.

OCDETF CASE: Yes No



DATE: July 21, 2003

DEFENDANT: SAIMA SAIMA,

DOB: September 10, 1971

ADDRESS: 500 Jay Street,
Lakewood, Colorado

OFFENSE: **COUNT ONE:**
18 U.S.C. § 371
Knowingly and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to defraud the United States.

COUNT FIVE:
18 U.S.C. § 1001
Knowingly and willfully make a false, fraudulent, and fictitious material statement and representation.

COUNT EIGHT:
8 U.S.C. §§ 1324 (a)(1)(A)(v)(I) and (a)(1)(B)(i)
Conspiracy to Conceal, Harbor, or Shield From Detection an Alien

LOCATION
OF OFFENSE: Denver Metropolitan Area

PENALTY: **COUNTS ONE AND FIVE:**
NMT Five (5) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment
COUNT EIGHT:
NMT Ten (10) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

AGENT: Stuart P. Hoff, Senior Special Agent
Bureau of Immigration and Customs Enforcement
U.S. Department of Homeland Security



AUTHORIZED BY: Steven A. Tyrrell
U.S. Department of Justice, Criminal Division

David M. Gaouette
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less

over five days

other

THE GOVERNMENT

will seek detention in this case

will not seek detention in this case

The statutory presumption of detention is not applicable to this defendant.

OCDETF CASE: Yes No



DATE: July 21, 2003

DEFENDANT: IRFAN KAMRAN,

DOB: April 12, 1970

ADDRESS: 8400 East Yale Avenue, Building 3-101,
Denver, Colorado

OFFENSE: **COUNT ONE:**
18 U.S.C. § 371
Knowingly and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to defraud the United States.

COUNT SIX:
18 U.S.C. § 1001
Knowingly and willfully make a false, fraudulent, and fictitious material statement and representation.

COUNT EIGHT:
8 U.S.C. §§ 1324 (a)(1)(A)(v)(I) and (a)(1)(B)(i)
Conspiracy to Conceal, Harbor, or Shield From Detection an Alien

LOCATION
OF OFFENSE: Denver Metropolitan Area

PENALTY: **COUNTS ONE AND FIVE:**
NMT Five (5) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

COUNT EIGHT:
NMT Ten (10) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

AGENT: Stuart P. Hoff, Senior Special Agent
Bureau of Immigration and Customs Enforcement
U.S. Department of Homeland Security



AUTHORIZED BY: Steven A. Tyrrell
U.S. Department of Justice, Criminal Division

David M. Gaouette
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less

over five days

other

THE GOVERNMENT

will seek detention in this case

will not seek detention in this case

The statutory presumption of detention is not applicable to this defendant.

OCDETF CASE: Yes No



DATE: July 21, 2003

DEFENDANT: SAJJAD NASSER,
a/k/a Sajjad Naseer,

DOB: January 14, 1975

ADDRESS: 8350 East Yale Avenue, Building E-203
Denver, Colorado

OFFENSE: **COUNT ONE:**
18 U.S.C. § 371
Knowingly and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to defraud the United States.

COUNT SEVEN:
18 U.S.C. § 1001
Knowingly and willfully make a false, fraudulent, and fictitious material statement and representation.

COUNT EIGHT:
8 U.S.C. §§ 1324 (a)(1)(A)(v)(I) and (a)(1)(B)(i)
Conspiracy to Conceal, Harbor, or Shield From Detection an Alien

LOCATION OF OFFENSE: Denver Metropolitan Area

PENALTY: **COUNTS ONE AND SEVEN:**
NMT Five (5) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

COUNT EIGHT:
NMT Ten (10) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

AGENT: Stuart P. Hoff, Senior Special Agent
Bureau of Immigration and Customs Enforcement
U.S. Department of Homeland Security



AUTHORIZED BY: Steven A. Tyrrell
U.S. Department of Justice, Criminal Division

David M. Gaouette
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less

over five days

other

THE GOVERNMENT

will seek detention in this case

will not seek detention in this case

The statutory presumption of detention is not applicable to this defendant.

OCDETF CASE: Yes No



DATE: July 21, 2003

DEFENDANT: IMRAN KAHN

DOB: 12/20/79

ADDRESS: In USMS Custody

OFFENSE: **COUNT ONE:**
18 U.S.C. § 371
Knowingly and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to defraud the United States.

LOCATION OF OFFENSE: Denver Metropolitan Area

PENALTY: **COUNT ONE:**
NMT Five (5) years imprisonment;
NMT a \$250,000 fine, or both;
NMT Three (3) years supervised release;
\$100.00 Special Assessment

AGENT: Stuart P. Hoff, Senior Special Agent
Bureau of Immigration and Customs Enforcement
U.S. Department of Homeland Security

AUTHORIZED BY: Steven A. Tyrrell
U.S. Department of Justice, Criminal Division

David M. Gaouette
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less

over five days

other

THE GOVERNMENT

will seek detention in this case

will not seek detention in this case

The statutory presumption of detention is not applicable to this defendant.

OCDETF CASE: Yes No