

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 13-20364-UNGARO

UNITED STATES OF AMERICA,

Plaintiff,

v.

**GUFRAN AHMED KAUSER MOHAMMED**  
and **MOHAMED HUSSEIN SAID**,

Defendants.

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**DETENTION ORDER**

Pursuant to 18 U.S.C. § 3142(f), on August 13, 2013, a hearing was held to determine whether defendants **GUFRAN AHMED KAUSER MOHAMMED** and **MOHAMED HUSSEIN SAID** should be detained prior to trial. Having considered the factors enumerated in 18 U.S.C. § 3142(g), this Court finds that no condition or combination of conditions will reasonably assure the appearance of the defendants as required and/or the safety of any other person and the community. Therefore, it is hereby ordered that the defendants **GUFRAN AHMED KAUSER MOHAMMED** and **MOHAMED HUSSEIN SAID** be detained prior to trial and until the conclusion thereof.

In accordance with the provisions of 18 U.S.C. § 3142(i), the Court hereby makes the following findings of fact and statement of reasons for the detention:

1. The defendants are charged by indictment, in the Southern District of Florida, with conspiring to provide material support to a foreign terrorist organization and attempting to provide material support to a foreign terrorist organization, in violation

of Title 18, United States Code, Section 2339(B)(a)(1). Therefore, the defendants are charged with committing a federal crime of terrorism for which a maximum sentence of more than ten (10) years is prescribed, resulting in a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the defendants as required and/or the safety of any other person and the community. Title 18, United States Code, Section 3142(e) and (f).

2. The weight of the evidence against the defendants is substantial. The government has proffered that in the fall of 2011, an FBI Online Covert Employee ("OCE") engaged in online conversations with defendant GUFRAH AHMED KAUSER MOHAMMED (hereinafter "MOHAMMED"). In May 2012, the OCE told defendant MOHAMMED that the OCE was affiliated with the terrorist organization al-Qa'ida. Defendant MOHAMMED told the OCE that he wanted to send money and support to mujahideen from Iraq operating in Syria. Defendant MOHAMMED also made online comments to the OCE that he was seeking recruits to join mujahideen affiliated with al-Qa'ida in Iraq/Al-Nusra Front, a terrorist organization. In July 2012, defendant MOHAMMED communicated to the OCE that he was interested in his money being pooled with other resources to support attacks against United States and United Nations targets. Between June 2012 and December 2012, defendant MOHAMMED sent six Western Union wire transfers totaling approximately \$9,000 and 14,400 Saudi Arabian riyals to persons he believed to be affiliated with the OCE to support terrorist operations.

Between June 2011 and September 2011, defendant MOHAMMED sent to defendant SAID a total of approximately \$11,000 in seven Western Union wire transfers in order to support al-Shabaab, a terrorist organization. In the summer of 2012, defendant MOHAMMED introduced the OCE to defendant MOHAMED HUSSEIN SAID (hereinafter "SAID") through the internet. Defendant SAID provided the OCE with copies of passport pages belonging to three known terrorists whom defendant SAID told the OCE were willing and available to be transported to fight in Syria on behalf of al-Qa'ida in Iraq and Al-Nusra. Defendant SAID also provided the OCE with the contact information of a fourth terrorist who was associated with a plot to bomb the U.S. Embassy in Nairobi, Kenya. Defendant SAID told the OCE that he had worked with defendant MOHAMMED to support al-Shabaab. Defendant SAID shared with the OCE his modus operandi in supporting the terrorist organizations including the use of his wife and of a code. Defendant SAID also had extensive knowledge of the details of the al-Shabaab operations.

3. The pertinent history and characteristics of defendant MOHAMMED support pretrial detention. Defendant MOHAMMED was born on April 4, 1983 in India and became a naturalized United States citizen in 2010 or 2011. Defendant MOHAMMED left the United States shortly after receiving his citizenship and moved to Saudi Arabia. At the time of his arrest, defendant MOHAMMED resided in Saudi Arabia with his wife and daughter. Defendant MOHAMMED has no assets in the United States. Title 18, United States Code, Section 3142(g)(3)(A).

4. The pertinent history and characteristics of defendant SAID support pretrial detention. Defendant SAID was born on November 10, 1987 in Mombasa, Kenya. Defendant SAID has resided in Kenya his entire life. Defendant SAID's wife and child reside in Kenya. Defendant SAID has no family in the United States, has no prior travel to the United States and only came to the United States as a result of the instant proceedings. Title 18, United States Code, Section 3142(g)(3)(A).

5. Based upon the defendants' participation in securing money and assets to support terrorist organizations overseas and defendant MOHAMMED's statement that he would support terrorist actions against United States and United Nations targets, the defendants would likely continue to support terrorist organizations if released on bond. The Court specifically finds by clear and convincing evidence, there are no conditions or combinations of conditions which will reasonably assure the safety of other persons and the community.

6. The Court further finds, that there are no conditions or combination of conditions which reasonably will assure the defendants' appearance as required. Defendant SAID has no ties to the United States and his entire family resides outside the United States. Defendant MOHAMMED left the United States and was residing in Saudi Arabia with his wife and daughter where he participated in the conduct described above. Both defendants are facing a substantial period of incarceration if convicted of the instant offense. Based upon the above findings of fact, which were supported by a preponderance of the evidence, the undersigned concludes that the defendants present a risk of flight.

The Court hereby directs:

(a) That the defendants be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal;

(b) That the defendants be afforded reasonable opportunity for private consultation with counsel; and

(c) That, on order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendants is confined deliver the defendants to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE AND ORDERED in Chambers at Miami, Florida, this **14th** day of August, 2013.

  
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JOHN J. O'SULLIVAN  
UNITED STATES MAGISTRATE JUDGE

Copies to:  
United States District Judge Ungaro  
All Counsel of Record  
Pretrial Services