

Individual Charged with Attempt to Provide Material Support to a Foreign Terrorist Organization

November 12, 2013

RALEIGH—The United States Attorney’s Office for the Eastern District of North Carolina and the Department of Justice National Security Division announced that on November 5, 2013, a federal grand jury in Raleigh, North Carolina returned a one-count indictment charging Basit Javed Sheikh with attempting to provide material support and resources to a foreign terrorist organization in violation of Title 18, United States Code, Section 2339B. Specifically, the indictment charges that Sheikh attempted to provide material support and resources to Jabhat al-Nusrah, which the United States Secretary of State has identified as an alias name for al Qaeda in Iraq, a designated Foreign Terrorist Organization.

Sheikh was initially charged in a criminal complaint. As set forth in the affidavit supporting the complaint, Sheikh is a 29 year-old legal permanent resident of the United States. The affidavit describes multiple Facebook postings by Sheikh since April, 2013, expressing support for Jabhat al-Nusrah, which has claimed responsibility for nearly 600 attacks in Syria that have killed numerous innocent civilians. Sheikh posted articles acknowledging that Jabhat al-Nusrah had been designated by the United States as a terrorist organization.

According to the affidavit, Sheikh reached out to an individual he believed could assist him. Sheikh communicated to this individual his desire to travel to Syria in support of violent jihad. This individual informed Sheikh of another individual who was a member of Jabhat al-Nusrah and who could assist him. In reality, this individual was an FBI covert employee. Sheikh reached out to the covert FBI employee and expressed his desire to travel to Syria in order to “help the mujahideen...in any way I can.” When asked how he wanted to help, Sheikh responded “logistics, media, fight too, God willing.” Despite the FBI covert employee stating to Sheikh that fighting was not for everyone, Sheikh informed the FBI covert employee that he was “serious” and that he was ready to be a martyr.

Believing that the FBI covert employee would be able to assist in smuggling him from Lebanon into Syria, Sheikh purchased a one-way ticket with a final destination of Lebanon and a departure from Raleigh-Durham Airport on November 2, 2013. On that date, Sheikh traveled to Raleigh-Durham Airport, obtained a boarding pass, checked in luggage, and proceeded through the security screening en route to his gate of departure. Sheikh was arrested prior to boarding his flight.

If convicted, Sheikh faces a maximum penalty of 15 years’ imprisonment, a \$250,000 fine, and three years’ supervised release. The actual sentence would be determined by the sentencing court after consideration of the advisory sentencing guidelines.

Investigation of this case was conducted by the Federal Bureau of Investigation, Charlotte Division, Raleigh Resident Agency Joint Terrorism Task Force (JTTF). The Raleigh JTTF consists of the following agencies: FBI, DHS-HSI, Raleigh Police Department, Durham Police

Department, NC State Bureau of Investigation, North Carolina Department of Public Safety- NC State Highway Patrol, and North Carolina Alcohol Law Enforcement. The prosecution is being handled by Assistant United States Attorney Jason Kellhofer and Trial Attorney Jennifer Levy of the Counterterrorism Section in the Justice Department's National Security Division. The charges contained in this indictment are allegations. The defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt in a court of law. United States Attorney for the Eastern District of North Carolina Thomas G. Walker emphasized, "This indictment details the violent intentions of one man and is in no way a reflection on anyone else."

<http://www.fbi.gov/charlotte/press-releases/2013/individual-charged-with-attempt-to-provide-material-support-to-a-foreign-terrorist-organization>