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F# 2004R01979

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ MAR 14 2006 ★

BROOKLYN OFFICE

S U P E R S E D I N G
I N D I C T M E N T

UNITED STATES OF AMERICA

- against -

SHAHAWAR MATIN SIRAJ,

Defendant.

Cr. No. 05-104 (S-1) (NG)
(T. 18, U.S.C., §§
844(n),
1993(a)(8) (2003),
2332f(a)(2),
2332f(b)(1)(B),
2332f(b)(1)(E), 2332f(c)
and 3551 et seq.)

THE GRAND JURY CHARGES:

COUNT ONE

1. In or about and between June 2004 and August 2004, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SHAHAWAR MATIN SIRAJ, together with others, did knowingly and intentionally conspire to maliciously damage and destroy, by means of an explosive, a building, vehicle and other real property, to wit: the 34th Street subway station at Herald Square in New York, New York, used in interstate commerce and in an activity affecting interstate commerce, in violation of Title 18, United States Code, Section 844(i).

(Title 18, United States Code, Sections 844(n) and 3551 et seq.)

COUNT TWO

2. In or about and between June 2004 and August 2004, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SHAHAWAR MATIN

SIRAJ, together with others, did knowingly and willfully conspire to wreck, derail and disable a mass transportation vehicle, to wit: a subway car located in the 34th Street subway station at Herald Square in New York, New York, and such act would have been committed on, against and affecting a mass transportation provider engaged in and affecting interstate commerce, in violation of Title 18, United States Code, Section 1993(a)(1) (2003).

(Title 18, United States Code, Sections 1993(a)(8) (2003) and 3551 et seq.)

COUNT THREE

3. In or about and between June 2004 and August 2004, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SHAHAWAR MATIN SIRAJ, together with others, did knowingly and willfully conspire to place a destructive device in, upon and near a garage, terminal, structure, supply and facility used in the operation of a mass transportation vehicle, to wit: the 34th Street subway station at Herald Square in New York, New York, without previously obtaining the permission of the mass transportation provider, to wit: the New York City Metropolitan Transit Authority, knowing and having reason to know that such activity would likely derail, disable and wreck a mass transportation vehicle used, operated and employed by the mass transportation provider, and such act would have been committed on, against and affecting a mass transportation provider engaged in and affecting

interstate commerce, in violation of Title 18, United States Code, Section 1993(a)(3) (2003).


(Title 18, United States Code, Sections 1993(a)(8) (2003) and 3551 et seq.)

COUNT FOUR

4. In or about and between June 2004 and August 2004, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SHAHAWAR MATIN SIRAJ, together with others, did knowingly and intentionally conspire to unlawfully deliver, place, discharge and detonate an explosive and other lethal device in, into and against a public transportation system, to wit: the New York City Metropolitan Transit Authority subway system, with the intent to cause extensive destruction of such system, where such destruction was likely to result in major economic loss, in violation of Title 18, United States Code, Section 2332f(a)(1)(B).

(Title 18, United States Code, Sections 2332f(a)(2), 2332f(b)(1)(B), 2332f(b)(1)(E), 2332f(c) and 3551 et seq.)

A TRUE BILL



FOREPERSON

ROSLYNN R. MAUSKOPF
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: Eric Caspell
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.136

