



# Department of Justice

FOR IMMEDIATE RELEASE  
TUESDAY, JANUARY 10, 2017

NSD  
(202) 514-

2007

[WWW.JUSTICE.GOV](http://WWW.JUSTICE.GOV)

TTY (866) 544-5309

## **NEW YORK MAN SENTENCED TO 13 YEARS IN PRISON FOR ATTEMPTING TO JOIN AL-QAEDA IN THE ARABIAN PENINSULA**

WASHINGTON – Justin Kaliebe, 22, of Babylon and Bay Shore, New York, was sentenced to 13 years in prison and 20 years of supervised release with special conditions (including computer monitoring, a prohibition on contact with jihadists, search conditions, mental health treatment and a curfew, among others) following his guilty plea on Feb. 8, 2013. Kaliebe pleaded guilty to both counts of a felony information, which charged him with attempting to provide material support to terrorists, in violation of 18 U.S.C. § 2339A(a), and attempting to provide material support to a designated foreign terrorist organization, al-Qaeda in the Arabian Peninsula, also known as Ansar al-Sharia (collectively, AQAP), in violation of 18 U.S.C. § 2339B(a)(1).

The sentencing was announced by Acting Assistant Attorney General for National Security Mary B. McCord, U.S. Attorney Robert L. Capers for the Eastern District of New York, Assistant Director-in-Charge William F. Sweeney, Jr. of the FBI's New York Field Office and Commissioner James P. O'Neill of the New York City Police Department (NYPD).

"With this sentence, Justin Kaliebe is being held accountable for his attempt to travel overseas to join Al-Qaeda in the Arab Peninsula and engage in violent jihad," said Acting Assistant Attorney General McCord. "One of our highest priorities is to protect our country by identifying, disrupting and holding accountable those who provide or attempt to provide material support to designated foreign terrorist organizations."

"This case is a sobering reminder that the call to violent jihad can reach deep into our local communities. Even when given the opportunity to abandon his plan to join al-Qaeda, this defendant made clear his intentions to commit himself fully to terrorism," stated U.S. Attorney Capers. "If not for the vigilance and commitment of our dedicated investigators, he might well have succeeded in empowering a dangerous enemy." Mr. Capers expressed his sincere appreciation to all the members of the FBI's Joint Terrorism Task Force (JTTF) and the NYPD Intelligence Division for their work on the investigation.

"Providing material support to terrorists is a serious crime that should have serious consequences. Today's sentencing of Justin Kaliebe shows just that. Kaliebe set out to provide material support to Al-Qaeda in the Arabian Peninsula in 2013 by attempting to travel to Yemen, after making plans months in advance. He didn't get past JFK thanks to the hard work of the

FBI's Joint Terrorism Task Force and the NYPD Intelligence Division," stated Assistant Director-in-Charge Sweeney.

"Kaliebe's commitment to join al-Qaeda in the Arabian Peninsula was as alarming as it was sinister. And early in 2013, Kaliebe was arrested at John F. Kennedy airport trying to fulfill his dream of joining the jihad in Yemen. Thankfully, Kaliebe was met at the airport by NYPD detectives and FBI agents investigating his support of this terrorist group's agenda. Thanks, as always, to those on the FBI-NYPD Joint Terrorism Task Force and at the U.S. Attorney's Office in the Eastern District for their investigation of this case and many others," stated Commissioner O'Neill.

According to the court filings, including sentencing memoranda, and evidence introduced during a sentencing hearing, Kaliebe attempted to travel from the U.S. to Yemen for the purpose of joining AQAP and waging violent jihad. During numerous meetings and recorded conversations and email correspondence with undercover law enforcement officers, Kaliebe explained that he had been searching for an opportunity to travel abroad and fight jihad for two years – long before Kaliebe first approached the undercover officers about his plans to join a terrorist group. Kaliebe repeatedly expressed his desire to travel to Yemen in order to join AQAP and to help carry out its violent extremist agenda.

Kaliebe also demonstrated extensive knowledge of terrorist organizations, including AQAP and al-Qaeda, and current and former leaders of those terrorist organizations. For example, Kaliebe referenced, and at times quoted, Anwar al-Awlaki, the now-deceased former member and senior leader of AQAP, as well as Omar Abdel Rahman (the "Blind Sheik"), Ayman al-Zawahiri, the current leader of al-Qaeda, and Usama Bin Laden. Further, Kaliebe demonstrated detailed knowledge of various terrorist attacks that were carried out by AQAP in Yemen, as well as other attacks carried out by al-Qaeda around the world.

According to a June 4, 2012, recorded conversation, which was admitted into evidence during the sentencing hearing, Kaliebe observed that "the crime that they would charge people like us with" was conspiracy "to kill, maim and kidnap in foreign countries," a reference to a federal criminal statute that has previously been used to charge other individuals who departed or attempted to depart the U.S. in order to fight jihad abroad. Later, during that same conversation, Kaliebe stated that, once he arrived in Yemen, he expected to fight the "Yemeni army" and "those who are fighting against the Sharia of Allah . . . whether it's the U.S. drones or the, their puppets, in the Yemeni army . . . or, who knows, if American agents or whatever, U.S. Special Forces . . . who they got over there." When asked if he was afraid to die, Kaliebe responded "I wanna . . . It's what anyone would want, any believer would want." During another recorded conversation described in the government's sentencing memorandum, which took place on July 9, 2012, Kaliebe stated that he had been inspired by several sheiks, including "Sheik Usama," "who showed how he could bring an entire nation to its knees."

Beginning in approximately July 2012, Kaliebe saved money to finance his travel to Yemen, which he then used to apply for and purchase a U.S. passport, and to purchase an airline ticket to Oman, from where he intended to travel by land to Yemen. During a

recorded meeting on July 30, 2012, Kaliebe stated that he was saving money “as a means to go to Yemen to fight jihad.”

On Dec. 26, 2012, Kaliebe sent an email in which he swore his loyalty to the leaders of AQAP and al-Qaeda, respectively, writing, “I pledge my loyalty, allegiance and fidelity to the Mujahedeen of Al-Qaa’idah in the Arabian Peninsula and its leaders, Shaykh Abu Baseer Nasir Al-Wuhayshi and Shaykh Ayman Al-Zawahiri, hafidhahum Allah! May Allah accept this from me and may he allow me to fight in his cause til the day that I leave this dunya [this world].”

On Jan. 8, 2013, Kaliebe reaffirmed his commitment to jihad, telling an NYPD Intelligence Division undercover officer, in a recorded conversation, which was also admitted into evidence during the sentencing hearing, that he understood “there’s a way out, but for me, the only way out is [martyrdom].” Additionally, Kaliebe paid homage to several terrorist leaders, telling the undercover law enforcement officer that: “[My] standard is Abu Dujana. [M]y standard is Abu Mus’ab Al-Zarqawi. My standard is Sheik Anwar Al-Awlaki and Sheik Usama, both who bore witness to the truth with their blood.”

Finally, Kaliebe stated, “Oh Allah, please allow me, please allow me and my brother...to fight jihad in your cause oh Allah. Oh Allah, please give us one of the two victories, victory on the ground or victory through [martyrdom.]”

On Jan. 21, 2013, Kaliebe’s efforts culminated in an attempt to board a flight to Muscat, Oman at John F. Kennedy Airport in Queens, New York. He was arrested at the airport by members of the FBI’s JTTF and the NYPD Intelligence Division. On Feb. 8, 2013, Kaliebe waived indictment and pleaded guilty to attempting to provide material support to AQAP and to attempting to provide material support to terrorists. Kaliebe’s co-conspirator, Marcos Alonso Zea, who also attempted to travel to Yemen to join AQAP. Once Zea’s own attempt failed, he assisted Kaliebe’s efforts to join the terrorist group. Zea was previously convicted and sentenced to 25 years in prison by the Honorable Sandra J. Feuerstein.

The government’s case is being prosecuted jointly by the National Security and Cybercrime Section, and the Long Island Criminal Section of the U.S. Attorney’s Office for the Eastern District of New York. Assistant U.S. Attorneys Seth D. DuCharme and John J. Durham for the Eastern District of New York are in charge of the prosecution, with assistance provided by Trial Attorney Kelli Andrews of the National Security Division’s Counterterrorism Section.

###

17-32

DO NOT REPLY TO THIS MESSAGE. IF YOU HAVE QUESTIONS, PLEASE USE THE CONTACTS IN THE MESSAGE OR CALL THE OFFICE OF PUBLIC AFFAIRS AT 202-514-2007.