

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on November 12, 2010

|                                        |   |                                              |
|----------------------------------------|---|----------------------------------------------|
| UNITED STATES OF AMERICA               | : | CRIMINAL NO. 11-056 (JDB)                    |
|                                        | : |                                              |
| v.                                     | : | GRAND JURY ORIGINAL                          |
|                                        | : |                                              |
| IRFAN UL HAQ,                          | : | VIOLATIONS:                                  |
| also known as "Irfan Chohan,"          | : |                                              |
|                                        | : | 18 U.S.C. § 371                              |
| QASIM ALI,                             | : | (Conspiracy)                                 |
| also known as "Ali Qasim" and "Fauji," | : |                                              |
| and,                                   | : | 8 U.S.C. § 1324(a)(2)(B)(ii)                 |
|                                        | : | (Attempt to Bring an Alien to the United     |
| ZAHID YOUSAF, also known as "Zahid     | : | States for Financial Gain)                   |
| Quereshi,"                             | : |                                              |
|                                        | : | 18 U.S.C. § 2                                |
|                                        | : | (Aiding and Abetting and Causing an Act to   |
| Defendants.                            | : | Be Done)                                     |
|                                        | : |                                              |
|                                        | : | 8 U.S.C. § 1324(b) and 18 U.S.C. § 982(a)(6) |
|                                        | : | (Criminal Forfeiture)                        |
|                                        | : |                                              |
|                                        | : |                                              |

INDICTMENT

The Grand Jury charges that:

COUNT ONE

At all times relevant to this Indictment:

Introduction

1. Defendant **IRFAN UL HAQ**, also known as "**Irfan Chohan**," and defendant **QASIM ALI**, also known as "**Ali Qasim**" and "**Fauji**," are citizens of Pakistan and Ecuador. Defendant **ZAHID YOUSAF**, also known as "**Zahid Quereshi**," is a citizen of Pakistan.

2. The Islamic Republic of Pakistan (“Pakistan”) is a country in South Asia that is bordered by the countries of Iran, Afghanistan, China, and India, and by the Indian Ocean. The Republic of Ecuador (“Ecuador”) is a country in South America that is bordered by the countries of Colombia and Peru, and by the Pacific Ocean.

3. Laws and regulations of the United States require citizens of Pakistan to obtain a valid United States visa and to have a valid identification document before coming to the United States to visit, work or reside.

4. All offenses alleged in this Indictment were begun and committed in Ecuador, Pakistan, and elsewhere outside the jurisdiction of any particular state or district of the United States, but within the extraterritorial jurisdiction of the United States and therefore, pursuant to Title 18, United States Code, Section 3238, within the venue of the United States District Court for the District of Columbia.

5. From on or about January 3, 2011, and continuing through on or about March 3, 2011, in Ecuador, Pakistan, and elsewhere outside the United States, defendants

**IRFAN UL HAQ,  
also known as “Irfan Chohan,”**

**QASIM ALI,  
also known as “Ali Qasim” and “Fauji,” and**

**ZAHID YOUSAF,  
also known as “Zahid Quereshi,”**

knowingly combined, conspired, confederated, and agreed with each other and others both known and unknown to the Grand Jury, to commit offenses against the United States, more particularly:

(a) to bring to and attempt to bring to the United States, an alien, for the purpose of commercial advantage and private financial gain, knowing and in reckless disregard of the fact that such alien

had not received prior official authorization to come to, enter, and reside in the United States, regardless of any official action which may later be taken with respect to such alien, in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii); and, (b) to knowingly encourage and induce an alien to come to, enter, and reside in the United States, for the purpose of commercial advantage and private financial gain, knowing and in reckless disregard of the fact that such coming to, entry, and residence was and would be in violation of law, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i).

**Object of the Conspiracy**

6. The purpose and object of the conspiracy was to make money by assisting an alien to illegally travel to and enter the United States.

**Manner and Means of the Conspiracy**

7. The conspirators and their unindicted co-conspirators would and did use the following manner and means, among others, to accomplish the object of the conspiracy:

(a) Used Internet-based communications (such as e-mail and voice over internet protocol, known as “VOIP”) and telephones to further their alien smuggling operation in various ways, including: to communicate with each other and other co-conspirators to discuss the smuggling operation, to negotiate the smuggling fees for the alien who was to be smuggled into the United States, to coordinate and implement smuggling arrangements and events, including the provision of fraudulent identity and travel documents, and to resolve issues that arose in the smuggling operation.

(b) Conducted their alien-smuggling operation through the use of a network of co-conspirators with whom they shared information and money obtained through their alien-

smuggling activities.

(c) Attempted to transport from within Pakistan through the Carribean and South America and then into the United States, by various means of transportation, a person they believed to be an alien without a lawful right to come to, enter or reside in the United States.

(d) Procured and provided fraudulent identification and travel documents.

**Overt Acts**

8. In furtherance of the conspiracy and to accomplish the object of the conspiracy, one or more of the conspirators committed and caused to be committed at least one of various overt acts in Ecuador, Pakistan, and elsewhere within the extraterritorial jurisdiction of the United States, including, but not limited to, the following:

(a) On or about January 3, 2011, in Ecuador, **IRFAN UL HAQ** had a conversation with an individual who was cooperating with and acting at the direction of law enforcement (a “cooperating individual”), in which **IRFAN UL HAQ** agreed to smuggle from Pakistan to Ecuador a (fictitious) Pakistani person (the “Pakistani Person”) for money, discussed the timing for obtaining fraudulent travel and identification documents, and recommended that the Pakistani Person meet with **QASIM ALI** to obtain a fraudulent passport.

(b) On or about January 19, 2011, **QASIM ALI**, who was in Pakistan, spoke to a cooperating individual, who was in Ecuador, about obtaining fraudulent travel and identity documents for the Pakistani Person.

(c) On or about January 21, 2011, **QASIM ALI**, who was in Pakistan, spoke via telephone to a cooperating individual, who was in Ecuador. The cooperating individual stated that the Pakistani Person was in hiding, needed to obtain a fraudulent passport, and would pay for

it. **QASIM ALI** responded that he would have the passport made.

(d) On or about January 21, 2011, in Ecuador, **IRFAN UL HAQ** spoke to a cooperating individual, who informed **IRFAN UL HAQ** that the cooperating individual had talked with **QASIM ALI** about the Pakistani Person's passport, and that the Pakistani Person was willing to pay several thousand dollars. **IRFAN UL HAQ** stated that he would tell **QASIM ALI** to make a passport for the Pakistani Person.

(e) On or about January 24, 2011, in Ecuador, **IRFAN UL HAQ** met with a cooperating individual and discussed various matters related to this smuggling operation, including the fees to be charged for obtaining fraudulent travel and identity documents, and the means by which payment would be made to the defendants.

(f) On or about January 31, 2011, in Ecuador, **IRFAN UL HAQ** met with a cooperating individual and discussed various matters related to this smuggling operation, including obtaining fraudulent travel and identity documents for the Pakistani Person, and routes by which the Pakistani Person would be smuggled to the United States.

(g) On or about February 1, 2011, in Ecuador, **IRFAN UL HAQ** accepted a down payment of approximately \$2,000 via Western Union for his services in obtaining fraudulent identity and travel documents intended to facilitate the travel of the Pakistani Person.

(h) On or about February 1, 2011, in Ecuador, **IRFAN UL HAQ** forwarded funds to a co-conspirator in Pakistan to be used for the purpose of obtaining fraudulent travel and identity documents for the Pakistani Person.

(i) On or about February 1, 2011, in Ecuador, **IRFAN UL HAQ** contacted a co-conspirator in Pakistan to coordinate matters relating to the procurement of fraudulent travel

and identity documents for the Pakistani Person, including the means by which the Pakistani Person's photograph would be provided for use in preparing fraudulent travel and identity documents, and payment for the provision of these fraudulent documents.

(j) On or about February 1, 2011, **IRFAN UL HAQ**, who was in Ecuador, communicated with **QASIM ALI**, who was in Pakistan, regarding matters relating to the procurement of fraudulent travel and identity documents for the Pakistani Person, including agreeing that **QASIM ALI** would coordinate the timely production of the fraudulent documents with another co-conspirator in Pakistan and that **QASIM ALI** would travel with the Pakistani Person.

(k) On or about February 10, 2011, **QASIM ALI**, who was in Pakistan, spoke with a cooperating individual, who was in Ecuador, and discussed various matters related to this smuggling operation, including the status of **QASIM ALI**'s efforts to obtain fraudulent travel and identification documents for the Pakistani Person, payment that **QASIM ALI** had received from **IRFAN UL HAQ** for this purpose, and that the destination for the Pakistani Person was the United States.

(l) On or about February 19, 2011, in Ecuador, **IRFAN UL HAQ** and **ZAHID YOUSAF** met with a cooperating individual, during which meeting: (1) **IRFAN UL HAQ** and **ZAHID YOUSAF** discussed their plans to smuggle the Pakistani Person from Pakistan to the United States; and (2) **ZAHID YOUSAF** provided the cooperating individual with a copy of fraudulent travel and identity documents for the Pakistani Person.

**(Conspiracy to Bring Aliens to the United States for Financial Gain and to Encourage and Induce Aliens to Come to the United States for Financial Gain**, in violation of Title 18, United States Code, Section 371, and pursuant to Title 8, United State Code, Sections 1324(a)(2)(B)(ii), 1324(a)(1)(A)(iv), and 1324(a)(1)(B)(I))

**COUNT TWO**

1. Paragraphs numbers 1 through 4 and 8 of Count One of this Indictment are realleged and incorporated as if fully set forth herein.
2. On or about January 3, 2011, and continuing through on or about March 3, 2011, in Ecuador, Pakistan, and elsewhere outside of the United States, defendants

**IRFAN UL HAQ,  
also known as “Irfan Chohan,”**

**QASIM ALI,  
also known as “Ali Qasim” and “Fauji,” and**

**ZAHID YOUSAF,  
also known as “Zahid Quereshi,”**

and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly attempted to bring an alien to the United States, for the purpose of commercial advantage and private financial gain, knowing and in reckless disregard of the fact that such alien had not received prior official authorization to come to, enter, and reside in the United States, regardless of any official action which may later be taken with respect to such alien.

**(Attempt to Bring an Alien to the United States for Financial Gain and Aiding and Abetting and Causing an Act to Be Done, in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2)**

**FORFEITURE ALLEGATION**

1. The allegations contained in Counts One and Two of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 8, United States Code, Section 1324(b), and Title 18, United States Code, Section 982(a)(6).

2. As a result of the offenses alleged in Counts One and Two of this Indictment, defendants shall forfeit to the United States of America (1) any conveyance, including any vessel, vehicle, or aircraft, used in the commission of the offenses, (2) any and all property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of the offenses, and (3) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violations alleged in Counts One and Two of this Indictment.

Such property includes, but is not limited to, the following:

Money Judgment:

judgment for a sum of money equal to the property constituting, or derived from, any and all proceeds the defendants obtained, directly or indirectly, as a result of such violations alleged in Counts One and Two of this Indictment.

3. By virtue of the commission of the felony offenses charged in Counts One and Two of this Indictment, any and all interest that defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to Title 8, United States Code, Section 1324(b), and Title 18, United States Code, Section 982(a)(6). If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants

a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be subdivided without difficulty,

it is the intention of the United States, pursuant to Title 8, United States Code, Section 1324(b), Title 18, United States Code, Section 982(a)(6), and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of said property listed above as being subject to forfeiture.

**(Criminal Forfeiture**, in violation of Title 8, United States Code, Section 1324(b) and Title 18, United States Code, Section 982(a)(6))

A TRUE BILL

FOREPERSON

/s/

Attorney of the United States in  
and for the District of Columbia