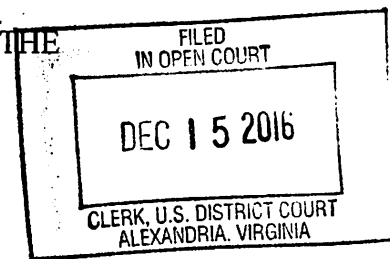


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

NICHOLAS YOUNG,

Defendant.

)
) Criminal No. 1:16cr 265
)
) Count 1: 18 U.S.C. § 2339B
) Attempt to Provide Material Support
) to a Designated Foreign Terrorist
) Organization
)
) Counts 2 - 4: 18 U.S.C. § 1512
) Obstruction of Justice

INDICTMENT

December 2016 Term -- At Alexandria

THE GRAND JURY CHARGES THAT:

COUNT 1

ATTEMPT TO PROVIDE MATERIAL SUPPORT OR RESOURCES
(18 U.S.C. § 2339B)

1. On October 15, 2004, the United States Secretary of State designated al-Qa'ida in Iraq ("AQI"), then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.

2. On May 15, 2014, the Secretary of State amended the designation of al-Qa'ida in Iraq ("AQI") as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant ("ISIL") as its

primary name. The Secretary also added the following aliases to the ISIL listing: the Islamic State of Iraq and al-Sham, the Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. On September 21, 2015, the Secretary added the following aliases to the ISIL listing: Islamic State, ISIL, and ISIS. To date, ISIL remains a designated FTO.

3. Between on or about December 3, 2015, and on or about August 2, 2016, in Fairfax County in the Eastern District of Virginia and elsewhere, defendant NICHOLAS YOUNG did knowingly and unlawfully attempt to provide “material support and resources,” as that term is defined in Title 18, United States Code, Section 2339A(b), including personnel, money, property and services, to a foreign terrorist organization, to wit, the Islamic State of Iraq and the Levant (ISIL), which at all relevant times was designated by the Secretary of State as a foreign terrorist organization, knowing that ISIL had been designated as a foreign terrorist organization, and knowing that ISIL had engaged in, and was engaging in, terrorist activity and terrorism.

4. As part of his attempt to provide material support to ISIL, among other things, when the Federal Bureau of Investigation (“FBI”) interviewed YOUNG about the whereabouts of an individual with whom YOUNG associated and communicated (herein referred to as “M”), and whom YOUNG believed had traveled from the United States to Syria to join ISIL, YOUNG attempted to provide misleading information to the FBI in order to protect M’s ability to avoid capture and continue to serve ISIL. In addition, understanding and believing that ISIL needed assistance in obtaining gift cards to facilitate the recruitment of others to join ISIL, YOUNG provided gift cards (and gift card codes) to M understanding and intending that the funds held in those gift cards would be provided to ISIL and used by ISIL to facilitate the recruitment of others to join ISIL.

(All in violation of Title 18, United States Code, Section 2339B.)

COUNT 2

OBSTRUCTION OF JUSTICE

1. Paragraphs 1 and 2 of Count 1 of this Indictment are incorporated by reference.

2. Between on or about December 3, 2015, and December 5, 2015, in Fairfax County, in the Eastern District of Virginia, defendant NICHOLAS YOUNG did knowingly, unlawfully, and corruptly attempt to obstruct and impede an official proceeding. In specific, NICHOLAS YOUNG knew that the FBI was investigating the circumstances of what YOUNG believed to be the attempt of an individual referred to here as "M" to travel to join ISIL, a designated foreign terrorist organization. Nevertheless, in an attempt to thwart the investigation and prosecution of M and of NICHOLAS YOUNG, himself, for attempting to provide material support to ISIL, NICHOLAS YOUNG attempted to deceive investigators with respect to the destination and purpose of what YOUNG believed to be M's travel overseas in 2014.

(All in violation of Title 18, United States Code, Section 1512(c)(2).)

COUNT 3

OBSTRUCTION OF JUSTICE

1. Paragraphs 1 and 2 of Count 1 of this Indictment are incorporated by reference.

2. Between on or about December 3, 2015, and December 5, 2015, in Fairfax County, in the Eastern District of Virginia, defendant NICHOLAS YOUNG did knowingly and unlawfully attempt to corruptly persuade another person, and engage in misleading conduct toward another person, with intent to hinder, delay, and prevent the communication to a law enforcement officer or judge of the United States of information relating to the possible commission of a federal offense.

3. In specific, NICHOLAS YOUNG believed that particular special agents of the FBI's Joint Terrorism Task Force ("JTTF") were investigating whether an individual referred to here as "M" had joined or conspired to join the designated foreign terrorist organization known as ISIL; to hinder, delay, and prevent those special agents of the JTTF from communicating to a law enforcement officer or judge of the United States information for a search warrant or an arrest warrant involving the possible commission by M of an attempt to provide material support to ISIL, YOUNG falsely told the JTTF special agents that (a) M had left the United States to go on a vacation tour in Turkey approximately one year earlier, when YOUNG instead believed that M had gone to Turkey to go from there to join and fight for ISIL; and (b) YOUNG knew of no one with whom M had spoken to for guidance on making his travel, when YOUNG instead knew that YOUNG himself had given extensive guidance to M on how to travel overseas from the United States to join ISIL.

(All in violation of Title 18, United States Code, Section 1512(b)(3).)

COUNT 4

OBSTRUCTION OF JUSTICE

1. Paragraphs 1 and 2 of Count 1 of this Indictment are incorporated by reference.
2. On or about November 20, 2014, in Fairfax County in the Eastern District of Virginia and elsewhere, defendant NICHOLAS YOUNG did knowingly, unlawfully, and corruptly attempt to obstruct, influence, and impede an official proceeding of the Grand Jury. In specific, NICHOLAS YOUNG sent a text message to a cell phone that YOUNG believed to be used by an individual referred to here as "M" in order to make it falsely appear to the FBI that M had left the United States to go on a vacation tour in Turkey when, instead, NICHOLAS YOUNG believed that M had gone to Turkey to go from there to Syria in order to join and fight for the designated foreign terrorist organization known as ISIL.

(All in violation of Title 18, United States Code, Sections 1512(c)(2).)

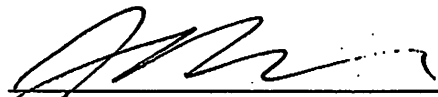
A TRUE BILL:

Present to the Government, and
original of this Bill has been filed
under seal in the Clerk's Office.

FOREPERSON OF THE GRAND JURY

Dana Boente
United States Attorney

By:


John T. Gibbs
Gordon D. Kromberg
Assistant United States Attorneys