



The United States Attorney's Office

Southern District of Florida

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Press Release

**LEADER OF LIBERTY CITY SIX
CONVICTED ON ALL COUNTS, FOUR
OTHERS CONVICTED ON MULTIPLE
COUNTS, AND ONE DEFENDANT
ACQUITTED ON CHARGES OF
CONSPIRING TO SUPPORT AL QAEDA,
ATTACK TARGETS IN THE UNITED STATES**

May 12, 2009

FOR IMMEDIATE RELEASE

After a three-month trial, a Miami jury convicted five men of multiple charges that include conspiring to provide material support to the al Qaeda terrorist organization and conspiracy to levy war against the U.S. by discussing and planning attacks on targets in the U.S., including the Sears Tower in Chicago and the FBI building and other federal buildings in Florida. A sixth defendant was acquitted on all counts.

The six men – **Narseal Batiste, Patrick Abraham, Stanley Grant Phanor, Naudimar Herrera, Burson Augustin,** and **Rothschild Augustine** – were named in an indictment returned by a federal grand jury in the Southern District of Florida (Miami) in June 2006. The indictment charged four counts: conspiracy to provide material support to a foreign terrorist organization, namely al Qaeda (Count 1); conspiracy to provide material support and resources to terrorists (Count 2); conspiracy to maliciously damage and destroy by means of an explosive (Count 3); and conspiring to levy war against the government of the U.S. (Count 4). **Narseal Batiste** was convicted of all 4 counts; **Patrick Abraham** was convicted on Counts 1, 2, and 3; **Stanley Grant Phanor** was convicted on Counts 1 and 2; **Burson Augustin** was convicted on Counts 1 and 2; **Rothschild Augustine** was convicted on Counts 1 and 2; and **Naudimar Herrera** was acquitted on all counts.

According to evidence presented at trial, beginning in November 2005 and continuing to the date of their arrests, Batiste recruited and supervised individuals to organize and train for a mission to wage war against the U.S., including a plot to destroy the Sears Tower by explosives. Batiste and his co-conspirators attempted to obtain the support of al Qaeda to achieve their goals and discussed this desire with an individual cooperating with law enforcement who posed as a member of al Qaeda. Believing they were dealing with that terrorist group, in March 2006, Batiste and other defendants pledged an oath of allegiance to al Qaeda and supported a plan to destroy FBI buildings in the United States by taking photos of the FBI Building in North Miami Beach, Florida, and other federal buildings in Miami-Dade County.

Batiste then took reconnaissance photographs of the FBI Building in North Miami Beach, the James Lawrence King Federal Justice Building, federal courthouse buildings, the Federal Detention Center and the Miami Police Department. In addition to conducting surveillance, the defendants provided the individual, whom they believed was an al Qaeda member, with a list of materials and equipment needed to wage jihad, including boots, uniforms, machine guns, radios and vehicles.

In December 2005, at one of a number of meetings with this person, Batiste spoke of using an army of "soldiers" and explosives to destroy the Sears Tower. In a subsequent meeting, he provided the individual with a list of other materials needed in his plot to take down the Sears Tower, including radios, binoculars, bullet proof vests, firearms, vehicles and \$50,000 cash.

According to the evidence, the plot advanced further through meetings with other co-defendants. In one of the meetings on Feb. 19, 2006, Batiste allegedly told the "al Qaeda representative" that he wanted to attend al Qaeda training with five of his soldiers, with a mission to wage a "full ground war" against the United States in order to "kill all the devils we can," which "will be just as good or greater than 9/11." Ultimately, all seven of the defendants swore bayat, or an oath of loyalty to al Qaeda. During his first meeting with the undercover FBI informant, Batiste explained that he was in the same position as Jeff Fort, the leader of the El-Rukn gang in Chicago who, in the 1980's, had negotiated with Libya to commit terrorist acts in the U.S. for \$2.5 million.

U.S. Attorney R. Alexander Acosta of the Southern District of Florida stated, "A federal jury today found defendant Batiste, the leader of this organization, guilty on all counts against him. The jury also found four other defendants guilty of multiple counts, and acquitted defendant Herrera. This was a difficult trial, and we thank all the prosecutors and agents involved, whose efforts resulted in today's successful conclusion."

On behalf of the Joint Terrorism Task Force, Jonathan I. Solomon, Special Agent in Charge of the FBI's Miami Field Office, stated, " We commend the agents and prosecutors who worked tirelessly on this case as well as all members of the South Florida Joint Terrorism Task Force. Working side-by-side with our law enforcement partners, we identified and disrupted a terrorist threat and as a result our community and nation are a much safer place."

Sentencing is scheduled for July 26, 2009 at 2:30 PM. At sentencing, the defendants face a maximum penalty of 15

years each in prison on the charges of conspiracy to provide material support or resources, and a maximum of 20 years in prison each on the charges of conspiracy to destroy by use of explosives and conspiracy to levy war against the United States.

This prosecution was the result of an investigation led by the FBI's South Florida Joint Terrorism Task Force (JTTF) in Miami. The JTTF is comprised of federal, state and local law enforcement agencies whose primary work is to identify and disrupt terrorist cells before they commit acts of terror. Members of the JTTF include the U.S. Attorney's Office for the Southern District of Florida; the FBI; U.S. Immigrations and Customs Enforcement; U.S. Secret Service; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Internal Revenue Service; the Bureau of Prisons; the Florida Department of Law Enforcement; Miami Dade Police Department; City of Miami Police Department; Broward Sheriff's Office; Palm Beach County's Sheriff's Office; Ft. Lauderdale Police Department; Hollywood Police Department; and the Miramar Police Department. The case was prosecuted by Assistant U.S. Attorneys Jacqueline Arango and Richard Gregorie.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

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