



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

**Case No: 00-788-Cr-Moreno(s)
18 USC 1546(a)
18 USC 1001(a)(2)
18 USC 922(g)(5)**

UNITED STATES OF AMERICA

vs.

**HAKKI CEMAL AKSOY
a/k/a "Hasan Yilmaz"**

FILED BY
00 DEC 15 PM 4:58
CLERK U.S. DIST. CT.
S.D. OF FL. - MIAMI

SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNT I

On or about November 18, 1997, at the Office of the Immigration and Naturalization Service, in Miami-Dade County, in the Southern District of Florida, the defendant,

**HAKKI CEMAL AKSOY
a/k/a "Hasan Yilmaz,"**

knowingly presented to an agent of the United States Immigration and Naturalization Service an application required by the immigration laws and the regulations prescribed thereunder, that is, an Application to Register Permanent Residence or Adjust Status, which contained a false statement with respect to a material fact, in that the defendant stated that he was Hasan Yilmaz, when in truth and in fact, and as the defendant then and there well knew, he was not Hasan Yilmaz; in violation of Title 18, United States Code, Section 1546(a).

Rec'd in MIA Dkt 12/19



COUNT II

On or about November 18, 1997, at the Office of the Immigration and Naturalization Service, in Miami-Dade County, in the Southern District of Florida, the defendant,

HAKKI CEMAL AKSOY
a/k/a "Hasan Yilmaz,"

in a matter within the jurisdiction of the Immigration and Naturalization Service, an agency of the Executive Branch of the Government of the United States, knowingly and willfully made a materially false, fictitious and fraudulent representation, in that the defendant represented in an Application to Register Permanent Residence or Adjust Status that he had never been cited, charged, or indicted for breaking or violating any law or ordinance in or outside of the United States, when in truth and in fact, and as the defendant then and there well knew, he had been cited, charged and indicted in the country of Turkey for violations of Turkish law; in violation of Title 18, United States Code, Section 1001(a)(2).

COUNT III

On or about November 2, 2000, in Broward County, in the Southern District of Florida, the defendant,

HAKKI CEMAL AKSOY
a/k/a "Hasan Yilmaz,"

then being an alien illegally and unlawfully in the United States, did knowingly possess a firearm in and affecting interstate and foreign commerce, that is, a Taurus .9mm pistol; in violation of Title 18, United States Code, Section 922(g)(5).




COUNT IV

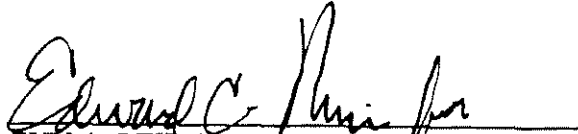
On or about November 2, 2000, in Miami-Dade County, in the Southern District of Florida, the defendant,

HAKKI CEMAL AKSOY
a/k/a "Hasan Yilmaz,"

knowingly possessed a document prescribed by statute and regulation as evidence of authorized stay and employment in the United States, that is, an alien registration receipt card in the name of Hasan Yilmaz, which the defendant knew to be altered and falsely made; in violation of Title 18, United States Code, Section 1546(a).

A TRUE BILL


FOREPERSON


GUY A. LEWIS
UNITED STATES ATTORNEY


CURTIS B. MINER
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO. 00-788-Cr-Moreno(s)



HAKKI CEMAL AKSOY
a/k/a "Hasan Yilmaz"

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

Court Division: (Select One)

Miami Key West
 FTL WPB FTP

New Defendant(s) Yes No
Number of New Defendants 0
Total number of counts 4

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) Yes
List language and/or dialect Turkish

4. This case will take 3 days for the parties to try.

5. Please check appropriate category and type of offense listed below.
(Check only one) (Check only one)

| | | | | |
|-----|------------------|-------------------------------------|---------|-------------------------------------|
| I | 0 to 5 days | <input checked="" type="checkbox"/> | Petty | <input type="checkbox"/> |
| II | 6 to 10 days | <input type="checkbox"/> | Minor | <input type="checkbox"/> |
| III | 11 to 20 days | <input type="checkbox"/> | Misdem. | <input type="checkbox"/> |
| IV | 21 to 60 days | <input type="checkbox"/> | Felony | <input checked="" type="checkbox"/> |
| V | 61 days and over | <input type="checkbox"/> | | |

6. Has this case been previously filed in this District Court? (Yes or No) Yes

If yes:
Judge: Moreno Case No. 00-788-Cr-Moreno
(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) No

If yes:
Magistrate Case No. _____
Related Miscellaneous numbers: _____
Defendant(s) in federal custody as of November 2, 2000
Defendant(s) in state custody as of _____
Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? Yes No If yes, was it pending in the Central Region? Yes No

8. Did this case originate in the Narcotics Section, Miami? Yes No

CBM

CURTIS B. MINER
ASSISTANT UNITED STATES ATTORNEY
Florida Court No. A5500463

*Penalty Sheet(s) attached

CLARENCE MADDOX
 CLERK U.S. DIST. CT.
 S.D. OF FL - MIAMI
 DEC 15 PM 4: 58
 PEDBY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PENALTY SHEET



Defendant's Name: Hakki Cemal Aksoy

Case No. 00-788-Cr-Moreno(s)

Count #1: FALSE STATEMENT IN APPLICATION FOR RESIDENT ALIEN CARD

18:1546(a)

*Max. Penalty: 10 YEARS' IMPRISONMENT

Count #2: FALSE STATEMENT

18:1001(a)(2)

*Max. Penalty: 5 YEARS' IMPRISONMENT

Count #3: UNLAWFUL POSSESSION OF FIREARM BY ILLEGAL ALIEN

18:922(g)(5)

*Max. Penalty: 10 YEARS' IMPRISONMENT

Count #4: POSSESSION OF FALSE ALIEN REGISTRATION RECEIPT

18:1546(a)

*Max. Penalty: 10 YEARS' IMPRISONMENT

Count #:

*Max. Penalty:

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CLERK U.S. DIST. CT.
S.D. OF FL. - MIAMI

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

No. _____

UNITED STATES DISTRICT COURT

SOUTHERN District of FLORIDA

CRIMINAL Division

THE UNITED STATES OF AMERICA

vs.

HAKKI CEMAL AKSOY

a/k/a Hasan Yilmaz

INDICTMENT

ALL IN VIOLATION OF: 18 USC 1546(a)
18 USC 1001(a)(2)
18 USC 922(g)(5)

A true bill.

M. J. ...
Foreman

Filed in open court this _____ day,

of December 15, 2010
[Signature]
Deputy Clerk

Rec'd 5

