

DSS:ZA/HLJ
F.#2011R01655

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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2013 FEB 21 AM 10:56
U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

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UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

LAWAL OLANIYI BABAFEMI,
also known as "Abdullah"
and "Ayatollah Mustapha,"

Defendant.

CR 13-109
GLEESON, J.
BLOOM, J.

Cr. No. _____
(T. 18, U.S.C., §§
924(c)(1)(A)(ii),
924(c)(1)(A)(iii),
924(c)(1)(B)(ii),
924(o), 2339B(a)(1),
2339B(d), 2
and 3551 et seq.)

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THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Provide Material Support
to a Foreign Terrorist Organization)

In or about and between January 2010 and August 2011,
both dates being approximate and inclusive, within the
extraterritorial jurisdiction of the United States, the defendant
LAWAL OLANIYI BABAFEMI, also known as "Abdullah" and "Ayatollah
Mustapha," together with others, did knowingly and intentionally
conspire to provide material support and resources, as defined in
Title 18, United States Code, Section 2339A(b), including
services and personnel, including himself, to a foreign terrorist
organization, to wit: al-Qaeda in the Arabian Peninsula.

(Title 18, United States Code, Sections 2339B(a)(1),
2339B(d) and 3551 et seq.)

COUNT TWO

(Provision and Attempted Provision of Material Support to a Foreign Terrorist Organization)

In or about and between January 2010 and August 2011, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendant LAWAL OLANIYI BABAFEMI, also known as "Abdullah" and "Ayatollah Mustapha," together with others, did knowingly and intentionally provide and attempt to provide material support and resources, as defined in Title 18, United States Code, Section 2339A(b), including services and personnel, including himself, to a foreign terrorist organization, to wit: al-Qaeda in the Arabian Peninsula.

(Title 18, United States Code, Sections 2339B(a)(1), 2339B(d), 2 and 3551 et seq.)

COUNT THREE

(Use of Firearms)

In or about and between January 2011 and July 2011, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendant LAWAL OLANIYI BABAFEMI, also known as "Abdullah" and "Ayatollah Mustapha," together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts One and Two, and did knowingly and intentionally possess said firearms in furtherance of such crimes of violence, one or more

of which firearms was brandished, one or more of which firearms was discharged, and one or more of which firearms was a machinegun.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 924(c)(1)(B)(ii), 2 and 3551 et seq.)

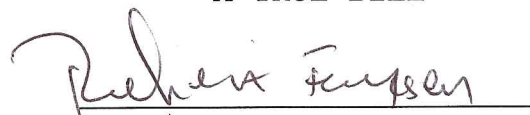
COUNT FOUR
(Conspiracy to Use Firearms)

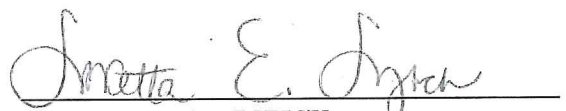
In or about and between January 2011 and July 2011, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendant LAWAL OLANIYI BABAFEMI, also known as "Abdullah" and "Ayatollah Mustapha," together with others, did knowingly and intentionally conspire to use and carry one or more firearms during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts One and Two, and did knowingly and intentionally conspire to possess said firearms in furtherance of such crimes of violence, one or more of which firearms was a

machinegun, contrary to Title 18, United States Code, Section 924(c).

(Title 18, United States Code, Sections 924(o) and 3551 et seq.)

A TRUE BILL


FOREPERSON


LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

