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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

SAJMIR ALIMEHMETI,
a/k/a "Abdul Qawii,"

Defendant.

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X

SUPERSEDING INDICTMENT

S1 16 Cr. 398 (PAE)

COUNT ONE

The Grand Jury charges:

1. From at least in or about September 2014, up to and including in or about May 2016, in the Southern District of New York and elsewhere, SAJMIR ALIMEHMETI, a/k/a "Abdul Qawii," the defendant, did knowingly and intentionally provide and attempt to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), to wit, personnel (including himself) and services, to a foreign terrorist organization, to wit, the Islamic State of Iraq and al-Sham ("ISIS"), which at all relevant times was designated by the Secretary of State as a foreign terrorist organization pursuant to Section 219 of the Immigration and Nationality Act ("INA"), and is currently designated as such as of the date of the filing of this Superseding Indictment, knowing that ISIS was a designated foreign terrorist organization (as defined in Title

18, United States Code, Section 2339B(g)(6)), that ISIS engages and has engaged in terrorist activity (as defined in section 212(a)(3)(B) of the INA), and that ISIS engages and has engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989).

(Title 18, United States Code, Sections 2339B and 2.)

COUNT TWO

The Grand Jury further charges:

2. In or about October 2015, in the Southern District of New York and elsewhere, in an offense committed to facilitate an act of international terrorism as defined in Title 18, United States Code, Section 2331, SAJMIR ALIMEHMETI, a/k/a "Abdul Qawii," the defendant, willfully and knowingly did make a false statement in an application for a passport with intent to induce and secure the issuance of a passport under the authority of the United States, for his own use and the use of another, contrary to the laws regulating the issuance of passports and the rules prescribed pursuant to such laws, to wit, ALIMEHMETI submitted a passport application stating that his previous passport had been lost when, in truth and fact, ALIMEHMETI had not lost his passport, to facilitate the provision of personnel, including himself, to ISIS.

(Title 18, United States Code, Section 1542.)

FORFEITURE ALLEGATION AS TO COUNT ONE

3. The allegations contained in Count One of this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(G), and Title 28, United States Code, Section 2461(c).

4. The violation of Title 18, United States Code, Section 2339B alleged in Count One of this Superseding Indictment is a Federal crime of terrorism, as defined in Title 18, United States Code, Section 2332b(g)(5), against the United States, citizens and residents of the United States, and their property.

5. SAJMIR ALIMEHMETI, a/k/a "Abdul Qawii," the defendant, was an individual engaged in planning and perpetrating a Federal crime of terrorism against the United States, citizens and residents of the United States, and their property.

6. Upon conviction the offense alleged in Count One of this Superseding Indictment, SAJMIR ALIMEHMETI, a/k/a "Abdul Qawii," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(G)(I), and Title 28, United States Code, Section 2461(c):

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a. all right, title, and interest in all assets, foreign and domestic;

b. all right, title, and interest in all assets, foreign and domestic, affording a source of influence over ISIS;

c. all right, title and interest in all assets, foreign and domestic, acquired and maintained with the intent and for the purpose of supporting, planning, conducting, and concealing a Federal crime of terrorism against the United States, citizens and residents of the United States, and their property; and

d. all right, title and interest in all assets, foreign and domestic, derived from, involved in, and used and intended to be used to commit a Federal crime of terrorism against the United States, citizens and residents of the United States, and their property.

7. Upon conviction of the offense alleged in Count One of this Superseding Indictment, SAJMIR ALIMEHMETI, a/k/a "Abdul Qawii," the defendant, shall pay to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(G), and Title 28, United States Code, Section 2461(c), a money

judgment equal to the value of the assets subject to forfeiture under Paragraph 6 above.

(Title 18, United States Code, Section 981(a)(1)(G) and Title 28, United States Code, Section 2461(c).)

FORFEITURE ALLEGATION AS TO COUNT TWO

8. As a result of committing the offense alleged in Count Two of this Superseding Indictment, SAJMIR ALIMEHMETI, a/k/a "Abdul Qawii," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, 982(a)(6), any conveyance used in the commission of the offense and any property real or personal that constitutes, or is derived from or is traceable to, the proceeds obtained directly or indirectly from the commission of the offense or that is used to facilitate, or was intended to be used to facilitate, the commission of the offense.

(Title 18, United States Code, Section 982(a)(6) and Title 28, United States Code, Section 2461(c).)

Substitute Asset Provision

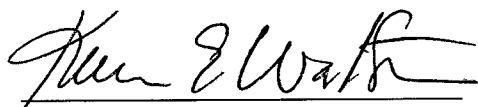
9. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

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

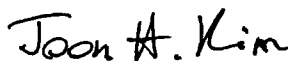
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- b. has been transferred, or sold to, or deposited with, a third person;
 - c. has been placed beyond the jurisdiction of the Court;
 - d. has been substantially diminished in value;
- or
- e. has been commingled with other property which cannot be subdivided without difficulty,
- it is the intent of the United States, pursuant to Title 18, United States Code, Section 982, to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982(a)(1).)



FOREPERSON



JOON H. KIM
Acting United States Attorney

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SUPERSEDING INDICTMENT

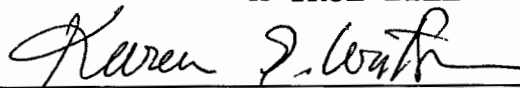
S1 16 Cr. 398 (PAE)

(18 U.S.C. §§ 2, 1542, 2339B.)

JOON H. KIM

Acting United States Attorney.

A TRUE BILL

 Foreperson.

Nov. 28.17

Filed Second Superseding Indictment.

U.S.M.J. Debra Freeman.