

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAMIZ ZIJAD HODZIC,

a/k/a Siki Ramiz Hodzic

SEDINA UNKIC HODZIC,

NIHAD ROSIC,

a/k/a Yahya Abu Ayesha Mudzahid,

MEDIHA MEDY SALKICEVIC,

a/k/a Medy Ummuluna,

a/k/a Bosna Mexico,

ARMIN HARCEVIC, and

JASMINKA RAMIC.

Defendants.

Case No. 4:15-CR-0049 CDP- DDN

MOTION TO DISMISS

Pursuant to Federal Rule of Criminal Procedure 12(b)(3)(B), Defendant Armin Harcevic Prays that this Honorable Court dismiss Counts I and III based on the failure to allege sufficient facts to constitute the necessary specific intent to support an act of terrorism required under 18 U.S.C § 2339A(a). Alternatively and additionally, Mr. Harcevic seeks the dismissal of Counts I and III based on the failure to sufficiently allege the facts concerning the conduct that constituted the alleged conspiracy to murder abroad in violation of 18 U.S.C. § 956(a)(1), which Mr. Harcevic is alleged to have materially supported in Counts I and III. The failure to specify the nature of the conduct that was found by the grand jury to have constituted murder fails to provide sufficient notice for Mr. Harcevic to prepare a defense.

This Motion is based upon the accompanying Memorandum of Law in support of the Motion, as well as the files, records, and proceedings herein.

Dated this 7th day of October, 2015

/s/ Charles D. Swift

Charles D. Swift
Pro Hac Attorney for Armin Harcevic
TX State Bar No. 24091964
cswift@clcma.org

/s/ Catherine McDonald

Catherine McDonald
Pro Hac Attorney for Armin Harcevic
TX State Bar No. 24091782

Constitutional Law Center for Muslims in America
833 – E. Arapaho Rd., Suite 102
Richardson, TX 75081
(Phone) 972-914-2511
(Fax) 972-692-7454
cmcdonald@clcma.org

