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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Docket No. 15 CR 149-2
)	
Plaintiff,)	
)	
v.)	Chicago, Illinois
)	December 9, 2015
JONAS M. EDMONDS,)	11:00 o'clock a.m.
)	
Defendant.)	

TRANSCRIPT OF PROCEEDINGS - CHANGE OF PLEA
BEFORE THE HONORABLE JOHN Z. LEE

APPEARANCES:

For the Government:	HON. ZACHARY T. FARDON United States Attorney BY: MR. BARRY JONAS MR. JOHN F. KNESS Assistant United States Attorneys 219 South Dearborn Street Chicago, Illinois 60604
For the Defendant:	LAW OFFICES OF JAMES A. GRAHAM BY: MR. JAMES A. GRAHAM 53 West Jackson Boulevard Suite 703 Chicago, Illinois 60604

ALEXANDRA ROTH, CSR, RPR
Official Court Reporter
219 South Dearborn Street
Room 1224
Chicago, Illinois 60604
(312) 408-5038

1 (Proceedings had in open court:)

2 THE CLERK: 15 CR 149-2, USA versus Jonas Edmonds, for
3 change of plea.

4 MR. JONAS: Good morning, your Honor. Barry Jonas and
5 John Kness for the United States.

6 MR. GRAHAM: Good morning, Judge. Jim Graham on
7 behalf of Jonas Edmonds, who's to my right.

8 THE COURT: Good morning, counsel.

9 Good morning, Mr. Edmonds.

10 We are here for an arraignment as to the superceding
11 information and a plea hearing in this case. I understand that
12 upon arraignment defendant wishes to change his plea and enter
13 a plea of guilty as to Counts 1 and 2 of the superseding
14 information.

15 Is that correct, Mr. Graham?

16 MR. GRAHAM: Yes.

17 THE COURT: Before we proceed, I am going to ask the
18 courtroom deputy to swear in Mr. Edmonds by affirmation.

19 (Defendant duly affirmed.)

20 THE COURT: Mr. Edmonds, do you understand that you
21 are now under oath by affirmation. And if you answer any of my
22 questions falsely, your answers may later be used against you
23 in another prosecution for perjury or making a false statement?

24 THE DEFENDANT: Yes.

25 THE COURT: Now, Mr. Graham, you have been appointed

1 by the Court to represent Mr. Edmonds in this case, is that
2 correct?

3 MR. GRAHAM: Yes, Judge.

4 THE COURT: And you have been representing him since
5 the beginning of this case?

6 MR. GRAHAM: Yes, Judge.

7 THE COURT: Mr. Edmonds, I want to confirm with you
8 that Mr. Graham has been your attorney in connection with this
9 case, is that correct?

10 THE DEFENDANT: Yes.

11 THE COURT: Mr. Edmonds, if at any point in time
12 during this hearing you wish to stop and speak privately with
13 your attorney, please let me know and I'll be happy to
14 accommodate you. Okay?

15 THE DEFENDANT: Okay.

16 THE COURT: All right. Before we continue, I do want
17 to inform you, Mr. Edmonds, that you have the right not to make
18 any statements today that might incriminate you. However, if
19 during this hearing you wish to plead guilty, you will need to
20 answer my questions. And in giving truthful answers to my
21 questions or making other statements during this hearing, you
22 will be giving up your right not to testify against yourself.
23 And some of your questions -- some of your statements will be
24 incriminating.

25 Do you understand that?

1 THE DEFENDANT: No.

2 THE COURT: Why don't you take a break, quick break,
3 and speak to Mr. Graham.

4 (Brief pause.)

5 THE DEFENDANT: That's fine, that's fine. Okay.

6 THE COURT: Okay. So after speaking with your
7 attorney, Mr. Graham, do you now understand?

8 THE DEFENDANT: Yes.

9 THE COURT: Do you still wish to proceed?

10 THE DEFENDANT: Yes.

11 THE COURT: One of the things that I have to determine
12 today is whether you are competent for the purpose of this
13 hearing; that is, whether you understand the nature and purpose
14 of today's proceedings. And to do that I will ask you some
15 questions.

16 Please state your full name.

17 THE DEFENDANT: Jonas Marcell Edmonds.

18 THE COURT: Mr. Edmonds, are you a United States
19 citizen?

20 THE DEFENDANT: Yes.

21 THE COURT: How old are you, sir?

22 THE DEFENDANT: Thirty.

23 THE COURT: And how far did you get in school?

24 THE DEFENDANT: High school.

25 THE COURT: Did you graduate high school?

1 THE DEFENDANT: No, GED.

2 THE COURT: But you obtained a GED?

3 THE DEFENDANT: Yes.

4 THE COURT: What type of work, if any, have you been
5 doing over the past three or four years?

6 THE DEFENDANT: Business owner.

7 THE COURT: What sort of business?

8 THE DEFENDANT: Web design, online marketing.

9 THE COURT: And how long were you doing that?

10 THE DEFENDANT: Two, two years out of three.

11 THE COURT: And were you doing that on a regular basis
12 as your business?

13 THE DEFENDANT: That's my job.

14 THE COURT: I'm sorry?

15 THE DEFENDANT: Yes, that's my job.

16 THE COURT: Okay. Are you currently under the care of
17 a doctor for any sort of illness?

18 THE DEFENDANT: No.

19 THE COURT: Are you currently under the influence of
20 any sort of prescription medication, drug or alcoholic beverage
21 of any kind?

22 THE DEFENDANT: No.

23 THE COURT: Do you understand, Mr. Edmonds, that the
24 purpose of today's hearing is to conduct an arraignment and to
25 allow you to change your plea of not guilty to guilty?

1 THE DEFENDANT: Yes.

2 THE COURT: Mr. Graham, do you have any reason to
3 question Mr. Edmonds' competency for purpose of today's
4 hearing?

5 MR. GRAHAM: I do not, Judge.

6 THE COURT: Does the government have any reason to
7 question defendant's competency for the purpose of today's
8 hearing?

9 MR. JONAS: We do not.

10 THE COURT: Based upon Mr. Edmonds' responses to my
11 questions and his misdemeanor here today, the Court finds that
12 he is competent to offer a plea of guilty today and for the
13 purpose to today's hearing.

14 Now, have you received a copy of the superseding
15 information?

16 THE DEFENDANT: Yes.

17 THE COURT: You have the right to have the information
18 read out loud to you in court today. Would you like me to read
19 the information, or do you wish to waive the right of the
20 reading of the information?

21 THE DEFENDANT: Waive it.

22 THE COURT: Furthermore, I want to inform you that you
23 have the right to have the charges in this superseding
24 information prosecuted by an indictment, returned by
25 concurrence of 12 or more members of a grand jury consisting of

1 not less than 16 and not more than 23 members. However, under
2 the plea agreement and in this document that was provided to me
3 today by your counsel, you are waiving your right to be
4 prosecuted by indictment and to assert at trial or on appeal
5 any defects or errors arising from the information, information
6 process, or the fact that you are being prosecuted by way of
7 information and not indictment.

8 Do you understand you're doing this?

9 THE DEFENDANT: Yes.

10 THE COURT: And so the signature on the document
11 called, waiver of indictment, that's provided to you above the
12 name Jonas Edmonds, that is your signature?

13 THE DEFENDANT: Yes.

14 THE COURT: Did you read this document before you
15 signed it?

16 THE DEFENDANT: Yes.

17 THE COURT: Did you discuss it with your attorney,
18 Mr. Graham before you signed it?

19 THE DEFENDANT: Yes.

20 THE COURT: Did anyone force you to sign the document
21 in any way?

22 THE DEFENDANT: No.

23 THE COURT: And did you sign the document knowingly
24 and based upon your own free will?

25 THE DEFENDANT: Yes.

1 THE COURT: Have you fully discussed the charges in
2 the information with your attorney?

3 THE DEFENDANT: Yes.

4 THE COURT: Have you had enough time to discuss the
5 case in general with your attorney?

6 THE DEFENDANT: Yes.

7 THE COURT: Are you satisfied with the representation
8 that you have been receiving from your attorney in this case?

9 THE DEFENDANT: Yes.

10 THE COURT: Do you have any questions about the case
11 that you wish to ask your attorney as you stand here today?

12 THE DEFENDANT: No.

13 THE COURT: In addition to finding that you are
14 competent and making sure that you have had the assistance of
15 an attorney for this case, I must also make a number of
16 additional findings before I can accept your plea of guilty. I
17 have to determine that you understand that you'll be waiving
18 your rights to a trial by pleading guilty, that you understand
19 the nature of the charges against you and the potential
20 penalties for those charges. I must also find that your plea
21 is a voluntary act on your part, and that there is a sufficient
22 independent factual basis for your plea.

23 Now, first of all, with regard to your trial rights, I
24 want to make sure that you understand your rights to a trial.
25 Do you understand, Mr. Edmonds, that you have the right to

1 plead not guilty to any offense that's charged against you and
2 to maintain that plea?

3 THE DEFENDANT: Yes.

4 THE COURT: Do you understand that if this case were
5 to proceed to trial, at a trial you would be presumed to be
6 innocent, and the government would have to prove your guilt
7 beyond a reasonable doubt?

8 THE DEFENDANT: Yes.

9 THE COURT: Do you understand that at the trial and at
10 every over stage of this proceeding, you have the right to have
11 the assistance of an attorney to represent you in this case?

12 THE DEFENDANT: Yes.

13 THE COURT: Do you understand that at a trial you have
14 the right to see and hear all witnesses and have them
15 cross-examined in your defense?

16 THE DEFENDANT: Yes.

17 THE COURT: Do you understand that at a trial you have
18 the absolute right to decline to testify unless you voluntarily
19 elected to do so in your own defense?

20 THE DEFENDANT: Yes.

21 THE COURT: Do you understand that if you decided not
22 to testify, I would instruct the jury not to draw any inference
23 or suggestion of guilt from your decision not to testify?

24 THE DEFENDANT: Yes.

25 THE COURT: Do you understand that at a trial you have

1 the right to compel the attendance of witnesses to testify on
2 your behalf?

3 THE DEFENDANT: Yes.

4 THE COURT: Now, your trial could be either a jury
5 trial or a trial before a Judge without a jury. But in order
6 for your trial to proceed before a Judge, both you and the
7 government would have to agree to that procedure. Do you
8 understand that?

9 THE DEFENDANT: Yes.

10 THE COURT: Do you understand that if this were to
11 proceed to a jury trial, the jury would be composed of 12
12 individuals selected by a process that you and your attorney
13 could participate in?

14 THE DEFENDANT: Yes.

15 THE COURT: Now, let me explain that in a bit more
16 detail. At a trial, you and your lawyer would have the right
17 to exclude a certain number of individuals from serving on the
18 jury for two basic reasons. First, you and your lawyer could
19 challenge someone for cause, meaning that that potential juror
20 was not able to be fair to you. And second, you could exclude
21 a certain number of individuals by using what is called a
22 peremptory challenge, meaning you could exclude a certain
23 number for any reason whatsoever.

24 Do you understand those procedures?

25 THE DEFENDANT: Yes.

1 THE COURT: Do you understand that at a trial, once a
2 jury was selected and heard the evidence and the arguments,
3 that the jury in order to reach a verdict would have to reach a
4 verdict unanimously?

5 THE DEFENDANT: Yes.

6 THE COURT: Do you understand that if this case were
7 to proceed to trial, you would have the right to appeal from
8 any legal errors committed during the trial?

9 THE DEFENDANT: Yes.

10 THE COURT: Have you discussed these trial rights with
11 your attorney?

12 THE DEFENDANT: Yes.

13 THE COURT: Do you understand that by entering a plea
14 of guilty today, and if that plea is accepted by me, there will
15 be no trial, and you will have waived or, in other words, given
16 up your right to a trial as well as those other attendant
17 rights that we just discussed?

18 THE DEFENDANT: Yes.

19 THE COURT: In other words, if you plead guilty and
20 your plea is accepted, I will be entering a finding of guilt
21 today without a trial. Do you understand that?

22 THE DEFENDANT: Yes.

23 THE COURT: Okay. Furthermore, as part of your plea
24 agreement, you are waiving your right to appeal any issues that
25 might have been available to you if you had exercised your

1 right to a trial. Do you understand that?

2 THE DEFENDANT: Yes.

3 THE COURT: Do you also understand that as part of
4 your plea agreement you will have waived or given up your right
5 to appeal your conviction, any pretrial rulings by the Court,
6 and any part of the sentence or the manner in which it was
7 determined, including any term of imprisonment and fine so long
8 as they are with the maximums provided by law?

9 THE DEFENDANT: Yes.

10 THE COURT: Furthermore, do you understand that you
11 are agreeing to waive your right to challenge your conviction
12 and sentence and the manner in which it is determined in any
13 collateral attack or future challenge, including but not
14 limited to a motion brought under 28 U.S.C. Section 2255?

15 THE DEFENDANT: Yes.

16 THE COURT: I do want to inform you, Mr. Edmonds, that
17 your waiver does not apply to a claim of involuntariness or
18 ineffective assistance of counsel which related directly to the
19 waiver or its negotiation. Nor are you prohibited from seeking
20 a reduction in sentence based directly on a change in the law
21 that is applicable to you and that prior to the filing of any
22 request for relief has been expressly made retroactive by an
23 act of Congress, the Supreme Court or the United States
24 Sentencing Commission.

25 Other than those limited issues, by pleading guilty

1 you are waiving all rights to appeal in connection with this
2 matter as I just discussed. Do you understand this?

3 THE DEFENDANT: Yes.

4 THE COURT: Now, I understand that the defendant has
5 entered into a plea agreement. Is that correct, Mr. Graham?

6 MR. GRAHAM: Yes, Judge.

7 THE COURT: Mr. Edmonds, I am looking at a plea
8 agreement in the case United States v. Jonas Edmonds. It's a
9 22-page document. And on the final page there are a number of
10 signature lines, including a signature line and a signature
11 above the name, Jonas M. Edmonds.

12 Is that your signature, sir?

13 THE DEFENDANT: Yes.

14 THE COURT: And under it is a signature of James A.
15 Graham. Is that the signature of your attorney?

16 THE DEFENDANT: Yes.

17 THE COURT: Have you reviewed the document, or did you
18 review the document before you signed it?

19 THE DEFENDANT: Yes.

20 THE COURT: Did you discuss the contents of the
21 document with your attorney before you signed it?

22 THE DEFENDANT: Yes.

23 THE COURT: Is there anything in this document that
24 you do not understand as you stand here today?

25 THE DEFENDANT: No.

1 THE COURT: Did anyone threaten you or pressure you in
2 any way to sign this document?

3 THE DEFENDANT: No.

4 THE COURT: Other than what is stated in this
5 document, did anyone offer any additional promises or
6 guarantees to you to induce you to sign the document?

7 THE DEFENDANT: No.

8 THE COURT: Did you sign this plea agreement
9 voluntarily and completely based upon your own free will?

10 THE DEFENDANT: Yes.

11 THE COURT: Under this agreement, you're pleading
12 guilty as to Counts 1 and 2 of the superseding information.
13 Mr. Edmonds, do you understand you are doing this?

14 THE DEFENDANT: Yes.

15 THE COURT: Now, I want to make sure you understand
16 the potential consequences of your guilty plea and the maximum
17 penalties that relate to the two counts in the superseding
18 information.

19 Will the government please inform Mr. Edmonds of the
20 maximum penalties in this case?

21 MR. JONAS: Yes, Judge. With regard to Count 1, which
22 is conspiring to provide material support to a foreign
23 terrorist organization, the maximum penalty is 15 years
24 imprisonment, a fine of \$150,000, and a term of supervised
25 release up to life. With respect to Count 2, which is making a

1 materially false statement regarding terrorism matter, the
2 maximum sentence is eight years imprisonment, maximum fine of
3 \$250,000, and supervised release of not more than three years.
4 There is also a special assessment of hundred dollars for each
5 count.

6 THE COURT: All right. Mr. Edmonds, let me review
7 those with you. So with regard to Count 1 and Count 2 of the
8 superseding information, and those are the counts to which you
9 will be pleading guilty today, do you understand that Count 1
10 carries a statutory mandatory sentence of 15 years of
11 imprisonment, a maximum term of supervised release of any term
12 of years up to life, and a maximum fine of \$250,000?

13 THE DEFENDANT: Yes.

14 THE COURT: Do you understand that Count 2 carries a
15 statutory maximum sentence of eight years imprisonment, a
16 maximum term of supervised release of three years, and a
17 maximum fine of \$250,000?

18 THE DEFENDANT: Yes.

19 THE COURT: And I may have misspoken. I just want to
20 make sure I clarify. With regard to Count 1, it carries a
21 statutory maximum sentence of 15 years of imprisonment, a
22 maximum term of supervised release of any term of years
23 including life, and a maximum fine of \$250,000. Do you
24 understand that?

25 THE DEFENDANT: Yes.

1 THE COURT: Additionally, as a result of your plea of
2 guilty an assessment of \$100 must be imposed for each count,
3 and that amount is due at the time of sentencing. Do you
4 understand that?

5 THE DEFENDANT: Yes.

6 THE COURT: Accordingly, with regard to both counts,
7 the total maximum term of imprisonment is 23 years. The
8 maximum fine is \$500,000, and a period of supervised release of
9 a number of years, and a special assessment totaling \$200. Do
10 you understand that?

11 THE DEFENDANT: Yes.

12 THE COURT: Furthermore, if the Court accepts your
13 plea of guilty, you will be adjudged guilty of a felony. And
14 such adjudication of guilt may deprive you of valuable civil
15 rights, such as the right to vote, the right to hold public
16 office, the right to serve on a jury, and the right to possess
17 a firearm.

18 Do you understand that?

19 THE DEFENDANT: Yes.

20 THE COURT: Finally, do you understand that the
21 indictment -- or the information rather and the plea agreement
22 will be a matter of public record and will be available to the
23 public at large? Do you understand that?

24 THE DEFENDANT: Yes.

25 THE COURT: Let me talk to you about sentencing. If

1 you plead guilty and your plea is accepted, the sentence will
2 be determined by me after consideration of the advisory
3 sentencing guidelines and other statutory sentencing factors,
4 except for the provisions set forth in the plea agreement that
5 I will go over with you.

6 Have you and your attorney, Mr. Graham, talked about
7 how the advisory sentencing guidelines might apply to your
8 case?

9 THE DEFENDANT: Yes.

10 THE COURT: Do you understand that the provisions in
11 the plea agreement discussing the advisory sentencing
12 guidelines are preliminary in nature only, and they are not
13 binding upon the Court? Do you understand that?

14 THE DEFENDANT: Yes.

15 THE COURT: Do you understand that I will not be able
16 to determine the advisory guideline range for your case or what
17 the appropriate sentence should be until after a presentence
18 report has been completed? Do you understand that?

19 THE DEFENDANT: Yes.

20 THE COURT: Now, I want to inform you that you and the
21 government, you with your attorney and the government, will
22 have an opportunity to challenge the reported facts and
23 application of the guidelines recommended by the probation
24 officer in that presentence investigation report. Furthermore,
25 per the plea agreement, your plea is governed by Federal Rule

1 of Criminal Procedure 11(c)(1)(C). And you and the government
2 have agreed that the sentence imposed by this Court shall
3 include a term of imprisonment of 252 months. Do you
4 understand that?

5 THE DEFENDANT: Yes.

6 THE COURT: Now, this means two things: First, if I
7 accept the recommendation and impose the agreed-upon term of
8 incarceration of 252 months of custody, you will not be able to
9 withdraw the plea as of right. Do you understand that?

10 THE DEFENDANT: Yes.

11 THE COURT: So long as I agree to impose the 252
12 months of incarceration as appropriate, I may impose any other
13 sentencing terms, including a period of supervised release and
14 fine, so long as they are within the statutory maximums. And
15 you will not be able to withdraw your plea.

16 Do you understand that?

17 THE DEFENDANT: Yes.

18 THE COURT: On the other hand, if I reject the
19 parties' recommendation of 252 months of incarceration, then
20 you will be allowed to withdraw your plea, and/or the
21 government can withdraw its agreement.

22 Do you understand that?

23 THE DEFENDANT: Yes.

24 THE COURT: Very well. I will now proceed to
25 determine whether there is an independent factual basis for the

1 plea. Now, Mr. Edmonds, I am going to ask the attorney for the
2 government to summarize the factual evidence that the
3 government would present at trial if this case were to proceed
4 to trial. I want you to listen very carefully to what the
5 government has to say. And afterwards I will ask you whether
6 you agree that those factual statements made by the government
7 are true.

8 Do you understand?

9 THE DEFENDANT: Yes.

10 THE COURT: Please proceed.

11 MR. JONAS: Thank you, your Honor.

12 With regard to Count 1, had this case proceeded to
13 trial, the government would have proven beyond a reasonable
14 doubt that beginning no later than in or about December 2014,
15 and continuing to at least on or about March 25, 2015, at
16 Aurora in the Northern District of Illinois and elsewhere,
17 defendant and co-defendant Hasan Edmonds knowingly conspired
18 with each other to provide material support and resources,
19 namely personnel, to a foreign terrorist organization, namely
20 the Islamic State of Iraq and Levant, commonly known as ISIL,
21 ISIS or the Islamic State, knowing that it was a designated
22 foreign terrorist organization, and that the organization had
23 engaged and was engaging in terrorist activity and terrorism.

24 THE COURT: Let me interrupt you for one second,
25 counsel.

1 (Brief pause.)

2 THE COURT: Go ahead and proceed.

3 MR. JONAS: More specifically, beginning on about
4 January 19, 2015, and continuing thereafter, Hasan Edmonds, a
5 member of the Army National Guard of Illinois, assigned to a
6 National Guard unit in the Northern District of Illinois,
7 engaged in online communications with UC 1, a person whom Hasan
8 Edmonds believed was an ISIL fighter in Libya, who is in fact
9 an FBI employee.

10 In those communications Hasan Edmonds expressed his
11 support for ISIL and his desire to travel to the Middle East
12 with his cousin, the defendant, to fight for ISIL. Hasan
13 Edmonds also gave UC 1 advice on how to fight and defeat the
14 U.S. military and stated that he and defendant were willing to
15 conduct an attack in the United States in order to do so.

16 On February 6, 2015, defendant contacted UC 1 online
17 and said that he was planning to travel with his family to
18 Mosul, an area of Iraq controlled by ISIL. Defendant also told
19 UC 1 that if he was unable to travel, he intended to commit an
20 attack within the United States in support of ISIL.

21 Over the next month, defendant asked UC 1 for guidance
22 and assistance on Hasan Edmonds' desire to travel the Middle
23 East to fight for ISIL.

24 On February 19, 2015, a confidential law enforcement
25 source introduced the defendant to UC 2. Defendant believed UC

1 2 to be an individual who could assist defendant and Hasan
2 Edmonds with their intention of traveling from the United
3 States to support ISIL. But UC 2 was in fact an undercover FBI
4 employee.

5 On March 3, 2015, defendant and UC 2 met in person.
6 During the meeting, defendant informed UC 2 that he was meeting
7 on behalf of himself and Hasan Edmonds, that he was looking to
8 assist Hasan Edmonds' travel to the Middle East. The two
9 discussed the best and safest route for Hasan Edmonds to take.

10 Following the March 3, 2015 meeting, defendant and
11 UC 2 engaged in a series of online communications concerning
12 Hasan Edmonds' travel. The defendant, in an attempt to
13 facilitate Hasan Edmonds' travel to fight for ISIL, asked UC 2
14 for a point of contact to assist Hasan Edmonds when he arrived
15 in the Middle East.

16 On March 11, 2015, Hasan Edmonds told UC 1 he had
17 purchased a plane ticket to Cairo, Egypt, in order to fight for
18 ISIL. On March 23, 2015, UC 2 met with the defendant and Hasan
19 Edmonds in Aurora, Illinois. During this meeting Hasan Edmonds
20 informed UC 2 that he'd been watching videos from, quote,
21 brothers in the state, unquote, referring to members of ISIL.
22 And he did not want peace but instead wanted fighting.
23 Defendant expressed his support and excitement for Hasan
24 Edmonds' travel and said that he believed that one who
25 supported Mujahid, a fighter, was a Mujahid.

1 During the March 23, 2015 meeting, defendant informed
2 UC 2 that after Hasan Edmonds' travel, he was planning to
3 attack the Army National Guard installation to which Hasan
4 Edmonds was assigned. Defendant advised that he wanted to
5 conduct the attack along with UC 2, and that he anticipated a
6 body count of a hundred to 150 individuals.

7 Hasan Edmonds offered to provide defendant and UC 2
8 with a list of the rankings of officers for defendant to kill.
9 Hasan Edmonds also confirmed that he'd provide defendant with
10 Hasan Edmonds' military uniforms for defendant to wear during
11 the attack on the National Guard base.

12 On March 24, 2015, defendant and Hasan Edmonds, along
13 with UC 2, drove to Hasan Edmonds' National Guard base in
14 Joliet, Illinois, for the purpose of conducting surveillance
15 and planning for the attack. During the drive, defendant Hasan
16 Edmonds discussed with UC 2 the purchasing of weapons and how
17 to conduct an attack.

18 Upon arrival, the three also discussed among other
19 things where the National Guard members conducted their
20 training. Hasan Edmonds described the inside of the
21 installation and which rooms they should avoid during the
22 attack.

23 In furtherance of the plan to commit the attack and to
24 determine the timing of the attack, Hasan Edmonds entered the
25 National Guard installation and received the unit training

1 schedule, which he then gave to defendant for the purpose of
2 deciding upon a date to conduct their planned attack.

3 On March 25, 2015, defendant drove Hasan Edmonds to
4 Chicago Midway Airport so that Hasan Edmonds could travel to
5 the Middle East to fight for ISIL. After he dropped off Hasan
6 Edmonds at Midway, defendant went to Hasan Edmonds' residence
7 and retrieved several of Hasan Edmonds' National Guard
8 uniforms, which defendant planned to use as a disguise during
9 the planned attack on the National Guard base. At the time
10 defendant engaged in the conduct set forth, he knew that ISIL
11 was a designated foreign terrorist organization, that the
12 organization had engaged in terrorist activity in Syria and
13 Iraq.

14 With respect to Count 2 of the superseding
15 information, the government would prove beyond a reasonable
16 doubt that on or about March 25, 2015, in the Northern District
17 of Illinois, Eastern Division, defendant did knowingly and
18 wilfully make materially false, fictitious and fraudulent
19 statements and representations involving international
20 terrorism in a matter within the jurisdiction of the Federal
21 Bureau of Investigation, an agency within the executive branch
22 of the government of the United States, when defendant stated
23 to agents of the FBI in sum and substance that the purpose of
24 Hasan Edmonds' traveling to Egypt was to visit a friend and to
25 see whether he liked Egypt, when defendant knew these

1 statements were false, and that he knew that Hasan Edmonds
2 traveled to Egypt for the purpose of fighting for foreign
3 terrorist organization, namely the Islamic State of Iraq and
4 Levant.

5 More specifically, on March 25, 2015, defendant was
6 interviewed by FBI agents at the FBI field office in Chicago.
7 Agents asked defendant whether he had ever helped anyone travel
8 overseas to support ISIL. Defendant responded that he had
9 dropped Hasan Edmonds off at the airport to travel to Egypt
10 because, quote, he's going to visit a friend or wherever he's
11 going. I don't know. Somebody, he's trying to move there.
12 Close quote.

13 Defendant continued by stating that Hasan Edmonds was
14 traveling to Egypt to see if he likes it. And, quote, then
15 he's coming back, close quote.

16 Defendant knew that these statements to the FBI agent
17 were false, and that when he dropped Hasan Edmonds off at
18 Midway Airport on March 25, 2015, he was aware that Hasan
19 Edmonds was traveling to Egypt for the purpose of fighting for
20 ISIL, that Hasan Edmonds was not going for the purpose of
21 meeting a friend or seeing if he liked Egypt.

22 THE COURT: Mr. Edmonds, having heard the factual
23 evidence that the government intends to present at trial if
24 this case were to proceed to trial, do you agree that those
25 factual statements as made by the government are true?

1 THE DEFENDANT: Yes.

2 THE COURT: Is it the government's position that Mr.
3 Edmonds' admissions are sufficient to support a plea of guilty
4 as to Counts 1 and 2 of the superseding information?

5 MR. JONAS: Yes, your Honor.

6 THE COURT: I will now proceed to take Mr. Edmonds'
7 plea. Mr. Edmonds, how do you now plead as to Count 1 of the
8 superseding information?

9 THE DEFENDANT: Guilty.

10 THE COURT: How do you now plead as to Count 2 of the
11 superseding information?

12 THE DEFENDANT: Guilty.

13 THE COURT: Very well. It is the finding of the Court
14 that Mr. Edmonds is fully competent and capable of entering an
15 informed plea, that Mr. Edmonds is aware of the nature of the
16 charges and the consequences of his plea, and that the plea of
17 guilty is a knowing and voluntary plea supported by independent
18 basis in fact containing each of the essential elements of the
19 offense.

20 Having made these findings today, in light of the
21 provisions in the plea agreement related to the agreed-upon
22 term of incarceration under Rule 11(c)(1), the Court will
23 provisionally accept the plea today. Once I review the
24 presentence investigation report and the sentencing submissions
25 by the parties and consent to the sentencing factors under

1 18 U.S.C. Section 3553(a) and the advisory sentencing guideline
2 range, I will make a determination as to whether I will impose
3 a period of incarceration of 252 months, thereby agreeing to
4 the parties' recommendations.

5 If I agree that the period of incarceration is
6 appropriate, the Court will accept the plea at the sentencing
7 hearing and proceed to determine the remaining terms of the
8 sentence at that time.

9 At this point I will order a presentence investigation
10 report to be performed to assist the Court in sentencing. Mr.
11 Edmonds, you will be asked to give information for that report,
12 and your attorney may be present with you during that time if
13 you wish. You must be truthful and cooperate completely with
14 the probation office in connection with the preparation of the
15 presentence investigation report.

16 Do you understand this?

17 THE DEFENDANT: Yes.

18 MR. GRAHAM: Judge, due to the fact that this is a
19 11(c)(1)(C), we'd ask if there is a possibility that we could
20 have an expedited sentencing date, little sooner than usually.

21 THE COURT: What time frame are you proposing?

22 MR. GRAHAM: Maybe something like six weeks, Judge.

23 MR. JONAS: Your Honor, I don't have an issue with
24 that except given that the holidays are coming up, I don't know
25 if probation is going to be available in the next several weeks

1 to get a presentence report started at least.

2 THE COURT: I will go ahead and order that the
3 presentence investigation report be performed as expeditiously
4 as possible by the probation office. However, I think that
5 six-week period is going to be overly optimistic to provide,
6 Mr. Graham, you and your client opportunity to review it fully
7 before the sentencing hearing.

8 So at this point in time, let's go ahead and set a
9 sentencing date at the end of January. Carmen, how about
10 January 27?

11 THE CLERK: January 27 at 2:00 p.m.

12 MR. GRAHAM: That's fine with me, Judge.

13 MR. JONAS: That's fine with the government, Judge.

14 MR. GRAHAM: Judge, I just like to say for the record
15 that even though it is an 11(c)(1)(C) plea agreement, it does
16 not include any cooperation, and that my client is not
17 cooperating with the government on this or any other
18 investigation.

19 MR. JONAS: That is correct.

20 THE COURT: Very well. So as far as the sentencing
21 submissions go, assuming that the presentence investigation
22 report is able to be completed in the next three or four weeks,
23 let's go ahead and set some preliminary dates for the
24 sentencing submissions.

25 So, Mr. Graham, I would like the defendant to submit

1 his sentencing submission by January 13, the government by
2 January 20. And again, if those dates need to be changed based
3 upon when the presentence investigation report will be
4 completed, you can raise that with me at the appropriate time.

5 MR. GRAHAM: Surely, Judge.

6 THE COURT: Is there anything else we need to address
7 today?

8 MR. GRAHAM: No, Judge.

9 MR. JONAS: No, Judge.

10 THE COURT: Very well. Thank you.

11 MR. JONAS: Thank you.

12 MR. GRAHAM: Thanks a lot, Judge.

13 (Which were all the proceedings heard in this case.)

14 CERTIFICATE

15 I HEREBY CERTIFY that the foregoing is a true, correct
16 and complete transcript of the proceedings had at the hearing
17 of the aforementioned cause on the day and date hereof.

18

19 /s/Alexandra Roth

11/8/2017

20 _____
21 Official Court Reporter
22 U.S. District Court
23 Northern District of Illinois
24 Eastern Division
25

Date