

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

ZACHARY CLARK,  
a/k/a "Umar Kabir,"  
a/k/a "Umar Shishani,"  
a/k/a "Abu Talha,"

Defendant.

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: INDICTMENT  
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: 20 Cr.  
**20 CRIM 76**  
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COUNT ONE

(Provision of Material Support to a Designated Foreign Terrorist Organization)

The Grand Jury charges:

1. From at least in or about April 2019, up to and including in or about November 2019, in the Southern District of New York and elsewhere, ZACHARY CLARK, a/k/a "Umar Kabir," a/k/a "Umar Shishani," a/k/a "Abu Talha," the defendant, knowingly and intentionally provided and attempted to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), to a foreign terrorist organization, to wit, the Islamic State of Iraq and al-Sham ("ISIS"), which at all relevant times has been 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 Indictment,

including, among other things, training, services, and personnel, 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**

(Distribution of Information Relating to Explosives, Destructive Devices, and Weapons of Mass Destruction)

The Grand Jury further charges:

2. In or about 2019, in the Southern District of New York and elsewhere, ZACHARY CLARK, a/k/a "Umar Kabir," a/k/a "Umar Shishani," a/k/a "Abu Talha," the defendant, knowingly taught and demonstrated the making or use of an explosive, a destructive device, and a weapon of mass destruction, and distributed by any means information pertaining to, in whole or in part, the manufacture and use of an explosive, destructive device, and weapon of mass destruction, with the intent that the teaching, demonstration, and information be used for, and in furtherance of, activities that constitute Federal crimes of violence, to wit, CLARK distributed bomb-making instructions over the internet with

the intent that the information be used for, and in furtherance of, the use of a weapon of mass destruction, in violation of Title 18, United States Code, Section 2332a; and bombing a place of public use, in violation of Title 18, United States Code, Section 2332f.

(Title 18, United States Code, Sections 842(p) and 2.)

**FORFEITURE ALLEGATION**

3. As a result of committing the offense alleged in Count One of this Indictment, ZACHARY CLARK, a/k/a "Umar Kabir," a/k/a "Umar Shishani," a/k/a "Abu Talha," the defendant, shall forfeit 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), any and all assets, foreign and domestic, of the defendant; any and all assets, foreign and domestic, affording the defendant a source of influence over any entity or organization engaged in planning or perpetrating said offense; any and all assets, foreign and domestic, acquired or maintained with the intent and for the purpose of supporting, planning, conducting or concealing said offense; any and all assets, foreign and domestic, derived from, involved in, or used or intended to be used to commit said offense, including but not limited to a sum of money in United States currency representing the total amount of the defendant's

assets.

Substitute Assets Provision


4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- 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 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), 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 981;  
Title 21, United States Code, Section 853; and  
Title 28, United States Code, Section 2461.)

  
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FOREPERSON

  
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GEOFFREY S. BERMAN  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT


20 Cr.

(18 U.S.C. §§ 2, 842(p), 2339B)

GEOFFREY S. BERMAN

United States Attorney

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1/27/20

Foreperson

1/27/2020

FILED INDICTMENT, CASE ASSIGNED TO J. BUCHANAN

EOSS, USMT