

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA) Criminal Number 2: 17-cr-0283
)
)
-versus-) **Government’s Change of Plea**
) **Hearing Memorandum**
)
ZAKARYIA ABDEL ABDIN)

I. Summary of Charges, Statutory Penalty, and Case Information

The Defendant was arrested on a Complaint filed on March 31, 2017, which charges a violation of Title 18 United States Code, § 2339B (attempting to provide material support to a foreign terrorist organization). The grand jury returned a single count indictment based on this complaint on April 4, 2017. This offense carries a statutory penalty of twenty years in federal prison; a fine of \$250,000.00; a term of supervised release of any term of years to life; and a special assessment of \$100.00.

II. Representation of Parties

The government is represented by Assistant United States Attorney Sean Kittrell. The Defendant is represented by Cody Groeber, Esquire. The investigation was conducted by the Joint Terrorism Task Force of the Federal Bureau of Investigation.

III. Factual Background

The Islamic State of Iraq and al-Sham (“ISIS”) was and has been designated by the Secretary of State as a foreign terrorist organization pursuant to Section 219 of the Immigration and Nationality Act. ISIS engages and has engaged in terrorist activity (as defined in section 212(a)(3)(B) of the INA and as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989).

The Defendant's intent was to travel overseas in order to provide material support or resources to ISIS. Material support includes attempting to provide one's own self to a foreign terrorist organization to serve as a fighter or soldier.

On January 3, 2017, Zakaryia Abdel Abdin created a social media account. On January 20, 2017, Mr. Abdin visited the FBI in Mount Pleasant, South Carolina and met with a special agent from the Joint Terrorism Task Force. During this interview, the special agent advised Mr. Abdin about the FBI's role in conducting counterterrorism investigations and outlined for him various statutory definitions, including the definitions for terrorism. The special agent specifically told Mr. Abdin that ISIS was a designated foreign terrorist organization and that it was illegal to give any foreign terrorist organization any form of material support, including personnel.

At some point after that, Mr. Abdin began using the internet to discuss going overseas to Syria or Egypt to make contact with ISIS. Unbeknownst to him, he ended up having communications with an undercover FBI employee. Mr. Abdin believed this person was affiliated with ISIS. These communications continued up until he was arrested.

Mr. Abdin had extensive communications with the FBI employee. During the course of these on-line conversations, Mr. Abdin expressed continued loyalty to ISIS. He said he had given a pledge of loyalty to the Caliphate in 2014 and he provided a video of a new pledge to Commander Abu Baker al Baghdadi, the self-proclaimed leader of ISIS or the Caliphate, in which he pledged to "wage jihad against the enemy of Allah."

Mr. Abdin also indicated that he wished to join the Caliphate and requested to serve in combat. He stated that he was proficient with various weapons, including AKs,¹ SKS rifles,² and pistols. He also asserted that he was well prepared, knew how to shoot, and had experience with

¹ This is a military assault type weapon, commonly used by ISIS fighters.

² This is the Chinese army version of the AK-47.

and was reliable in close combat. He not only talked of joining jihad, he also purchased weapons. Mr. Abdin practiced with an AK at a local gun store, and with both an SKS and a 9mm at a local outdoor shooting range outside of Charleston.

He took a picture of himself carrying the 9mm in his waistband at his house and took a picture of himself practicing shooting at night at a local outdoor range, sending these to the undercover FBI employee.

He undertook concrete steps to join the Caliphate (ISIS) and to travel overseas to fight jihad. He applied for a passport. On March 22, 2017, the FBI was notified Mr. Abdin's passport was delivered to his residence in Ladson, South Carolina. Later on the same date, Mr. Abdin sent a message to the undercover FBI employee to tell him to "let the brothers know I am coming very soon"

On March 23, 2017, Mr. Abdin made flight reservations aboard a commercial airline departing Charleston, South Carolina with a final destination of Amman, Jordan. The date for travel was set for March 30, 2017 at approximately 7:30 pm. Shortly thereafter on March 23, 2017, Mr. Abdin communicated to the undercover FBI employee that he was scheduled to arrive in Amman, Jordan on April 1, 2017, at approximately 2:05 am.

On March 30, 2017, at approximately 4:17 pm, Mr. Abdin arrived at the Charleston International Airport with one piece of luggage and a carry-on backpack. Mr. Abdin proceeded to a commercial airline ticket counter where he provided the attendant with travel documents and received a boarding pass for international travel to Amman, Jordan. Mr. Abdin then walked from the ticketing counter toward the Transportation Security Administration's security screening area. He was arrested and taken into custody without incident.

Respectfully submitted,

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