

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 18-60352-CR-MOORE

UNITED STATES OF AMERICA

v.

TAYYAB TAHIR ISMAIL,

Defendant.

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FACTUAL BASIS FOR PLEA

If this case were to proceed to trial, the United States would prove, beyond a reasonable doubt, the following facts, among others. This factual basis is being provided for the limited purpose of establishing a factual basis for the defendant's guilty plea pursuant to Fed. R. Crim. Pro. 11(b) (3) and is not inclusive of all the facts the United States would offer and prove at trial. The defendant, by his signature below, admits and agrees to the facts set out below.

On at least four occasions in or around July, August, and September 2018, ISMAIL posted bomb making instructions on a Mobile Messaging Platform (MMP). During that time, ISMAIL was a member of various rooms within the platform and each of these rooms contained members who support violent jihad. ISMAIL posted to these various rooms and his postings could be seen by all members of the room in which the information was posted. In and around the same time of ISMAIL's postings, other members made postings in support of violent jihad.

Specifically, as charged in Count 2 of the Indictment, on July 16, 2018, ISMAIL posted on the MMP, on the internet “The Anarchist Cookbook” (A.C.). This posting contained information pertaining to, in whole and in part, the manufacture and use of an explosive, destructive device, or weapon of mass destruction. The evidence would prove that ISMAIL posted this with the intent that the information be used for, and in furtherance of, an activity that constitutes a Federal crime of violence, that is, using a weapon of mass destruction, in violation of Title 18, United States Code, Sections 842(p)(2)(A) and 844(a)(2).

In addition, ISMAIL posted to the same MMP, in various rooms, “The Anarchy Cookbook Version 2000”, “Black Book Companion State of the Art Explosive Munitions,” and a Pro-ISIS suicide vest instructional video.

A review of ISMAIL’s seized cell phone, pursuant to a search warrant and consent, conducted by FBI agents and computer examiners, confirmed his wide-spread use of the MMP and his membership in numerous rooms on the platform. The search further revealed a large volume of encrypted messaging content utilizing MMP, as well as other online applications. Activity noted included Ismail’s presence in pro-ISIS and other jihadist-supporting mobile messaging rooms within the MMP.

During a post-Miranda interview, ISMAIL admitted to using the MMP to post the information listed above. He also admitted to using various E-mail accounts, and a Website he

created which contained information with bomb making materials. Further, he admitted to conducting internet searches dealing with bomb making materials and jihadi propaganda.


Date: 2/28/19


KAREN E. GILBERT
ASSISTANT UNITED STATES ATTORNEY

Date: 2/28/19


DAVID NUNEZ
ATTORNEY FOR DEFENDANT

Date: 2/28/19


TAYYAB TAHIR ISMAIL
DEFENDANT