

FILED
DISTRICT COURT CLERK
WESTERN DISTRICT OF KY

2011 MAY 26 PM 3: 18

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT BOWLING GREEN

UNITED STATES OF AMERICA

INDICTMENT

NO. 1:11CR-13-R

vs.

WAAD RAMADAN ALWAN, and
MOHANAD SHAREEF HAMMADI.

18 U.S.C. 842(p)(2)
18 U.S.C. 2332(b)(2)
18 U.S.C. 2332a(a)(1)
18 U.S.C. 2332g
18 U.S.C. 2339A
18 U.S.C. 2339B

The Grand Jury charges:

COUNT 1

1. All acts referred to in Counts 1 and 2 of the Indictment were committed in Iraq and elsewhere outside of any particular state or district of the United States, but within the extraterritorial jurisdiction of the United States and, therefore, pursuant to Title 18, United States Code, Section 3238, within the venue of the United States District Court for the Western District of Kentucky.

2. From in or about 2003 through 2006, in Iraq and elsewhere outside the United States, the defendant, **WAAD RAMADAN ALWAN**, did knowingly and intentionally combine, conspire, confederate and agree with other co-conspirators, both known and unknown to the Grand Jury, to commit a killing that is murder as defined in Title 18, United States Code, Section 1111(a), of United States nationals outside of the United States.

3. In furtherance of the aforesaid conspiracy and to accomplish the object thereof,

the defendant, **WAAD RAMADAN ALWAN**, together with his co-conspirators, both known and unknown to the Grand Jury, committed the following overt acts, among others:

- a. Between 2003 and 2005, the defendant, **WAAD RAMADAN ALWAN**, and other co-conspirators, both known and unknown to the Grand Jury, planted an Improvised Explosive Device (IED) in a road in or near Salah ad Din Province, Iraq.
- b. Between 2003 and 2005, the defendant, **WAAD RAMADAN ALWAN**, and other co-conspirators, both known and unknown to the Grand Jury, planted an IED in a road in or near Salah ad Din Province, Iraq.
- c. On or about April 5, 2005, **WAAD RAMADAN ALWAN**, and other co-conspirators, both known and unknown to the Grand Jury, planted an IED in Iraq in an attempt to kill U.S. troops near a street detour where traffic usually caused U.S. vehicles to slow down.

In violation of Title 18, United States Code, Section 2332(b)(2).

The Grand Jury further charges:

COUNT 2

1. Paragraphs 1, 2, and 3 of Count 1 of this Indictment are hereby incorporated by reference as if fully alleged and restated herein.
2. From in or about 2003 through 2006, in Iraq and elsewhere outside the United States, the defendant, **WAAD RAMADAN ALWAN**, did knowingly and intentionally combine, conspire, confederate and agree with other co-conspirators, both known and unknown to the

Grand Jury, without lawful authority, to use a weapon of mass destruction, that is, a destructive device, to wit, an Improvised Explosive Device (IED), against a national of the United States while such national was outside of the United States.

In violation of Title 18, United States Code, Section 2332a(a)(1).

The Grand Jury further charges:

COUNT 3

Between in or about October 2010 through May 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did knowingly teach and demonstrate the making and use of an explosive, destructive device, and weapon of mass destruction and distribute 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, an activity that constitutes a federal crime of violence, in that the defendant, created and provided diagrams of improvised explosive devices (IEDs), which depicted the construction and use of an IED, an "explosive" as defined in Title 18, United States Code, Section 844(j), a "destructive device" as defined in Title 18, United States Code, Section 921(a)(4), and a "weapon of mass destruction" as defined in Title 18, United States Code, Section 2332a(c)(2)(A), intending that the diagrams be used for training individuals in the construction and use of such IEDs to commit and further a federal crime of violence, as defined in Title 18, United States Code, Section 16, including but not limited to the killing of a national of the United States outside of the United States, a violation of Title 18, United States Code,

Section 2332(a), and the killing of an officer or employee of the United States, a violation of Title 18, United States Code, Section 1114.

In violation of Title 18, United States Code, Section 842(p)(2)(A).

The Grand Jury further charges:

COUNT 4

On or about the 23rd day of September, 2010, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did attempt to provide material support and resources, to wit, money, knowing and intending that it was to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 5

On or about the 21st day of October, 2010, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did attempt to provide material support and resources, to wit, money, knowing and intending that it was to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 6

From in or about and between October 2010 through May 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did attempt to provide material support and resources, to wit, expert advice, and assistance, including training and instruction on the construction of Improvised Explosive Devices (IEDs), knowing and intending that they were to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 7

On or about the 10th day of November, 2010, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did attempt to provide material support and resources, to wit, three machine guns, three Rocket-Propelled Grenade launchers, and money, knowing and intending that they were to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114 and 2332.

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 8

On or about the 10th day of November, 2010, in the Western District of Kentucky,

Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did knowingly attempt to provide material support and resources, to wit, three machine guns, three Rocket-Propelled Grenade launchers, and money, to al-Qaida in Iraq, a designated foreign terrorist organization, knowing that the organization has engaged in and engages in terrorist activity and terrorism.

In violation of Title 18, United States Code, Section 2339B.

The Grand Jury further charges:

COUNT 9

On or about the 15th day of December, 2010, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did attempt to provide material support and resources, to wit, money, knowing and intending that it was to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 10

On or about the 15th day of December, 2010, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did knowingly attempt to provide material support and resources, to wit, money, to al-Qaida in Iraq, a designated foreign terrorist organization, knowing that the organization has engaged in and

engages in terrorist activity and terrorism.

In violation of Title 18, United States Code, Section 2339B.

The Grand Jury further charges:

COUNT 11

On or about the 27th day of January, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD SHAREEF HAMMADI**, did attempt to provide material support and resources, to wit, money, knowing and intending that it was to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 12

On or about the 27th day of January, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did knowingly attempt to provide material support and resources, to wit, money, to al-Qaida in Iraq, a designated foreign terrorist organization, knowing that the organization has engaged in and engages in terrorist activity and terrorism.

In violation of Title 18, United States Code, Section 2339B.

The Grand Jury further charges:

COUNT 13

On or about the 16th day of February, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD SHAREEF HAMMADI**, did attempt to provide material support and resources, to wit, two Rocket-Propelled Grenade launchers, two machine guns, two cases of C4 plastic explosives, two sniper rifles, and money, knowing and intending that they were to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 14

On or about the 16th day of February, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD SHAREEF HAMMADI**, did knowingly attempt to provide material support and resources, to wit, two Rocket-Propelled Grenade launchers, two machine guns, two cases of C4 plastic explosives, two sniper rifles, and money, to al-Qaida in Iraq, a designated foreign terrorist organization, knowing that the organization has engaged in and engages in terrorist activity and terrorism.

In violation of Title 18, United States Code, Section 2339B.

The Grand Jury further charges:

COUNT 15

On or about the 17th day of February, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did attempt to provide material support and resources, to wit, money, knowing and intending that it was to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 16

On or about the 17th day of February, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendant, **WAAD RAMADAN ALWAN**, did knowingly attempt to provide material support and resources, to wit, money, to al-Qaida in Iraq, a designated foreign terrorist organization, knowing that the organization has engaged in and engages in terrorist activity and terrorism.

In violation of Title 18, United States Code, Section 2339B.

The Grand Jury further charges:

COUNT 17

On or about the 16th day of March, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD**

SHAREEF HAMMADI, did attempt to provide material support and resources, to wit, two Stinger surface-to-air missile launcher systems, and money, knowing and intending that they were to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 18

On or about the 16th day of March, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD SHAREEF HAMMADI**, did knowingly attempt to provide material support and resources, to wit, two Stinger surface-to-air missile launcher systems, and money, to al-Qaida in Iraq, a designated foreign terrorist organization, knowing that the organization has engaged in and engages in terrorist activity and terrorism.

In violation of Title 18, United States Code, Section 2339B.

The Grand Jury further charges:

COUNT 19

On or about the 21st day of April, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD SHAREEF HAMMADI**, did attempt to provide material support and resources, to wit, one case of C4 plastic explosives, a box containing twelve hand grenades, and money, knowing and

intending that they were to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 20

On or about the 21st day of April, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD SHAREEF HAMMADI**, did knowingly attempt to provide material support and resources, to wit, one case of C4 plastic explosives, a box containing twelve hand grenades, and money, to al-Qaida in Iraq, a designated foreign terrorist organization, knowing that the organization has engaged in and engages in terrorist activity and terrorism.

In violation of Title 18, United States Code, Section 2339B.

The Grand Jury further charges:

COUNT 21

On or about the 25th day of May, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD SHAREEF HAMMADI**, did attempt to provide material support and resources, to wit, three machine guns, three Rocket-Propelled Grenade launchers, and two cases of C4 plastic explosives, knowing and intending that they were to be used in preparation for and in carrying out a violation of Title 18, United States Code, Sections 1114, 2332, and 2332a(a).

In violation of Title 18, United States Code, Section 2339A.

The Grand Jury further charges:

COUNT 22

On or about the 25th day of May, 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD SHAREEF HAMMADI**, did knowingly attempt to provide material support and resources, to wit, three machine guns, three Rocket-Propelled Grenade launchers, and two cases of C4 plastic explosives to al-Qaida in Iraq, a designated foreign terrorist organization, knowing that the organization has engaged in and engages in terrorist activity and terrorism.

In violation of Title 18, United States Code, Section 2339B.

The Grand Jury further charges:

COUNT 23

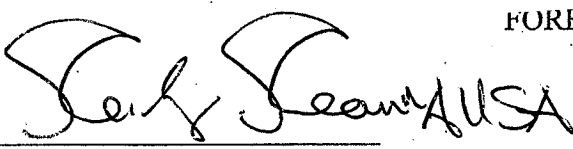
On or about the 16th day of March 2011, in the Western District of Kentucky, Warren County, Kentucky, the defendants, **WAAD RAMADAN ALWAN** and **MOHANAD SHAREEF HAMMADI**, did knowingly and intentionally combine, conspire, confederate and agree, in an offense occurring in and affecting interstate and foreign commerce, to knowingly transfer directly or indirectly, receive, possess, and export a device designed and intended to launch and guide an explosive and incendiary rocket and missile to seek and proceed toward energy radiated and deflected from an aircraft and toward an image locating an aircraft, and otherwise direct and guide the rocket and missile to an aircraft, to wit, two Stinger surface-to-air

missile launcher systems.

In violation of Title 18, United States Code, Section 2332g.

A TRUE BILL:

FOREPERSON



DAVID J. HALE
UNITED STATES ATTORNEY

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DJH:MAB: 04/14/2011

nited States of America v. WAAD RAMADAN ALWAN and MOHANAD SHAREEF HAMMADI

PENALTIES

Counts 1&2: NM than life/\$250,000/both/NM5 yrs. Supervised Release
Count 3: NM 20 yrs./\$250,000/both/NM3 yrs. Supervised Release
Counts 4-22: NM 15 yrs./\$250,000/both/NM3 yrs. Supervised Release
Count 23: NL 25 yrs./ NM than life/\$2,000,000/both/NM 5 yrs. Supervised Release

NOTICE

ANY PERSON CONVICTED OF AN OFFENSE AGAINST THE UNITED STATES SHALL BE SUBJECT TO SPECIAL ASSESSMENTS, FINES, RESTITUTION & COSTS.

SPECIAL ASSESSMENTS

18 U.S.C. § 3013 requires that a special assessment shall be imposed for each count of a conviction of offenses committed after November 11, 1984, as follows:

Misdemeanor: \$ 25 per count/individual Felony: \$100 per count/individual
\$125 per count/other \$400 per count/other

FINES

In addition to any of the above assessments, you may also be sentenced to pay a fine. Such fine is due immediately unless the court issues an order requiring payment by a date certain or sets out an installment schedule. You shall provide the United States Attorney's Office with a current mailing address for the entire period that any part of the fine remains unpaid, or you may be held in contempt of court. 18 U.S.C. § 3571, 3572, 3611, 3612

Failure to pay fine as ordered may subject you to the following:

1. **INTEREST and PENALTIES** as applicable by law according to last date of offense.

For offenses occurring after December 12, 1987:

No **INTEREST** will accrue on fines under \$2,500.00.

INTEREST will accrue according to the Federal Civil Post-Judgment Interest Rate in effect at the time of sentencing. This rate changes monthly. Interest accrues from the first business day following the two week period after the date a fine is imposed.

PENALTIES of:

10% of fine balance if payment more than 30 days late.

15% of fine balance if payment more than 90 days late.

2. Recordation of a **LIEN** shall have the same force and effect as a tax lien.
3. Continuous **GARNISHMENT** may apply until your fine is paid.

18 U.S.C. §§ 3612, 3613

If you **WILLFULLY** refuse to pay your fine, you shall be subject to an **ADDITIONAL FINE** of not more than the greater of \$10,000 or twice the unpaid balance of the fine; or **IMPRISONMENT** for not more than 1 year or both. 18 U.S.C. § 3615

RESTITUTION

If you are convicted of an offense under Title 18, U.S.C., or under certain air piracy offenses, you may also be ordered to make restitution to any victim of the offense, in addition to, or in lieu of any other penalty authorized by law. 18 U.S.C. § 3663

APPEAL

If you appeal your conviction and the sentence to pay your fine is stayed pending appeal, the court shall require:

1. That you deposit the entire fine amount (or the amount due under an installment schedule during the time of your appeal) in an escrow account with the U.S. District Court Clerk, or
2. Give bond for payment thereof.

18 U.S.C. § 3572(g)

PAYMENTS

If you are ordered to make payments to the U.S. District Court Clerk's Office, certified checks or money orders should be made payable to the Clerk, U.S. District Court and delivered to the appropriate division office listed below:

LOUISVILLE: Clerk, U.S. District Court
106 Gene Snyder U.S. Courthouse
601 West Broadway
Louisville, KY 40202
502/625-3500

BOWLING GREEN: Clerk, U.S. District Court
120 Federal Building
241 East Main Street
Bowling Green, KY 42101
270/393-2500

OWENSBORO: Clerk, U.S. District Court
126 Federal Building
423 Frederica
Owensboro, KY 42301
270/689-4400

PADUCAH: Clerk, U.S. District Court
127 Federal Building
501 Broadway
Paducah, KY 42001
270/415-6400

If the court finds that you have the present ability to pay, an order may direct imprisonment until payment is made.

FORM DBD-34
JUN.85

No. 1:11CR-13-R

UNITED STATES DISTRICT COURT

Western District of Kentucky
Bowling Green Division

THE UNITED STATES OF AMERICA

vs.

WAAD RAMADAN ALWAN

MOHANAD SHAREEF HAMMADI

INDICTMENT

**Title 18 U.S.C. §§ 2332(b)(2); 2332a(a)(1);
842(p)(2)(A); 2339A; 2339B; 2332g:
Conspiracy to Commit Murder of U.S. Nationals
Outside of the U.S.; Conspiracy to Use a
Weapon of Mass Destruction Against a National
of the U.S. While Such National was Outside the
U.S.; Distribution of Information Relating to
Weapons of Mass Destruction; Attempting to
Provide Material Support to Terrorists;
Attempting to Provide Material Support and
Resources to a Designated Foreign Terrorist
Organization; Conspiracy to Transfer, Receive,
Possess, and Export Surface-to-Air Missile
Launcher Systems.**

A true bill.

Foreman

Filed in open court this 26th day, of May, A.D. 2011.

Clerk

Bail, \$

FILED
DISTRICT COURT CLERK
WESTERN DISTRICT OF KY
2011 MAY 26 PM 3:18