

FILED

JUL 17 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

MUSTAFA MOUSAB ALOWEMER

Criminal No.

19-219

INDICTMENT MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Scott W. Brady, United States Attorney for the Western District of Pennsylvania, and Soo C. Song, Assistant United States Attorney for said District, and submits this Indictment Memorandum to the Court:

I. THE INDICTMENT

A federal grand jury returned a three-count indictment against the above-named defendant for alleged violations of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1	Attempting to Provide Material Support and Resources, to wit, Services and Personnel, to a Designated Foreign Terrorist Organization (ISIS) From in and around April 2019 to June 19, 2019	18 U.S.C. § 2339B(a)(1)
2 & 3	Distribution of Information Relating to Explosives, Destructive Devices or Weapons of Mass Destruction with the Intent that the Information be used for, and in Furtherance of, a Federal Crime of Violence, to wit, 18 U.S.C. § 2332a(a)(2) (Use of Weapons of Mass Destruction) On or about May 24, 2019 (Count 2) On or about May 26, 2019 (Count 3)	18 U.S.C. § 842(p)(2)(A)

II. ELEMENTS OF THE OFFENSE

A. As to Count 1:

In order for the crime of Attempting to Provide Material Support and Resources, to wit, Services and Personnel, to a Designated Foreign Terrorist Organization (ISIS), in violation of 18 U.S.C. § 2339B(a)(1), to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That the defendant knowingly provided material support or resources to a foreign terrorist organization;
2. That the defendant knew that the organization was a designated terrorist organization, or that the organization had engaged or was engaging in terrorist activity or terrorism.

B. As to Counts 2 and 3:

In order for the crime of Distribution of Information Relating to Explosives, Destructive Devices, or Weapons of Mass Destruction with the Intent that the Information be used for and in Furtherance of a Federal Crime of Violence, to wit, 18 U.S.C. § 2332a(a)(2)(Use of Weapons of Mass Destruction), in violation of 18 U.S.C. § 842(p)(2)(A), to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That the defendant distributed to any person, by any means, information pertaining to, in whole or in part, the manufacture of an explosive, destructive device or weapon of mass destruction;
2. That the defendant acted with the intent that the information be used for, or in furtherance of an activity that constitutes a Federal crime of violence.

III. PENALTIES

A. As to Count 1: Attempting to Provide Material Support and Resources, to wit, Services and Personnel, to a Designated Foreign Terrorist Organization (ISIS) (18 U.S.C. § 2339B(a)(1)):

1. A term of imprisonment of twenty (20) years.
2. A fine of \$250,000.
3. A term of supervised release of any term of years or for life, pursuant to 18 U.S.C. § 3583(j).
4. Any or all of the above.

B. As to Counts 2 and 3: Distribution of Information Relating to an Explosive, Destructive Device, or Weapon of Mass Destruction with the Intent that the Information be used for and in Furtherance of a Federal Crime of Violence, to wit, 18 U.S.C. § 2332a(a)(2)(Use of Weapons of Mass Destruction), (18 U.S.C. § 842(p)(2)(A)):

1. A term of imprisonment of twenty (20) years.
2. A fine of \$250,000.
3. A term of supervised release of any term of years or for life, pursuant to 18 U.S.C. § 3583(j).
4. Any or all of the above.

IV. MANDATORY SPECIAL ASSESSMENT

A mandatory special assessment of \$100.00 must be imposed at each count upon which the defendant is convicted, pursuant to 18 U.S.C. § 3013.

V. RESTITUTION

Restitution may be applicable in this case.

VI. FORFEITURE

Because the violation of Title 18, United States Code, Section 2339B(a)(1) alleged in Count One of this Indictment is a Federal crime of terrorism, as defined in Title 18, United States Code, Section 2332b(g)(5), against the United States, citizens and residents of the United States and their property, forfeiture is applicable in this case.

Respectfully submitted,

SCOTT W. BRADY
United States Attorney



SOO C. SONG
Assistant U.S. Attorney
DC ID No. 457268