



U.S. Department of Justice
United States Attorney
Eastern District of Virginia

Paul J. McNulty
United States Attorney

2100 Jamieson Avenue (703) 299-3700
Alexandria, Virginia 22314 Fax:(703) 549-5202

NEWS RELEASE

For Immediate Release
Alexandria, Virginia
April 26, 2005

For further information contact
Sam Dibbley 703-842-4050

Paul J. McNulty, United States Attorney for the Eastern District of Virginia, announces the return today of the verdict in the prosecution of Ali Al-Timimi, 40, of Fairfax, Virginia, by a federal jury in Alexandria. Al-Timimi was convicted of soliciting others to wage war against the United States; counseling others to engage in a conspiracy to levy war against the United States; attempting to aid the Taliban, counseling others to attempt to aid the Taliban; counseling others to violate the Neutrality Act, and counseling others to use firearms and explosives in furtherance of crimes of violence. Sentencing is set for July 13, 2005, before the Honorable Leonie M. Brinkema, at which time Al-Timimi faces a maximum sentence of life in prison.

Al-Timimi counseled and induced Masoud Khan, Randall Royer, Yong Kwon, Muhammad Aatique, and Khwaja Hasan and others to conspire to levy war against the United States; to supply services to the Taliban; to take part in military expeditions and enterprises to be carried on from the United States against foreign states with whom the United States was at peace; and to use, carry, possess, and discharge firearms and explosives in furtherance of crimes of violence.

Within five days of the terrorist attacks of September 11, 2001, Al-Timimi believed that an American invasion of Afghanistan was imminent because the Taliban refused the demands of the United States to turn over Usama Bin Laden. The indictment alleged that, under that belief, Al-Timimi told Kwon, Royer, Khan, Aatique, and Hasan, at a meeting at Kwon's house in Fairfax, Virginia, that the time had come for them to go abroad to join the mujahideen engaged in violent jihad in Afghanistan, and that American troops likely to arrive in Afghanistan would be legitimate targets of the violent jihad in which his listeners had a duty to engage.

After being counseled to do so by Al-Timimi, Aatique, Khan, Kwon, and Hasan each quickly left the United States. Each arrived in Pakistan by September 22, 2001, and obtained military-style training at jihad camps run by Lashkar-e-Taiba near Muzafabad, Pakistan, where they fired automatic weapons, anti-aircraft weapons, and rocket propelled grenades.

“Those who aid our terrorist enemies abroad should take notice of today’s terrorism conviction of Ali Al-Timimi,” said Attorney General Alberto R. Gonzales. “The Al-Timimi conviction, along with the previous convictions in the ‘Virginia Jihad’ case, demonstrates the resolve shown by the Department in prosecuting those who helped in an effort to attack

American troops abroad. Relying on international cooperation and using the legal tools available to us, including the sharing of critical intelligence, federal prosecutors put together the global investigation that led to today's conviction."

Before today's verdict, a total of nine individuals have been convicted in this case. Two other defendants charged in the case, Caliph Abdur-Raheem and Sabri Benkhala, were acquitted at trial. While a number of U.S. based terror cells have been disrupted and dismantled since September 11, this investigation has produced the largest number of convictions in any single case to date.

Those previously sentenced include:

Seifullah Chapman - a US citizen - June 11, 2004, to 85 years for conspiring to violate the Neutrality Act, provide material support to Lashkar-e-Taiba, use firearms in furtherance of crimes of violence, and using an automatic weapon in furtherance of crimes of violence.

Masaud Khan - a US citizen - June 11, 2004, to life plus 65 years for conspiring to wage war against the United States, providing material support to Lashkar-e-Taiba, and using automatic weapons in furtherance of crimes of violence.

Randall Royer - a US citizen - April 9, 2004, to 20 years for aiding and abetting the use and discharge of a firearm during and in relation to a crime of violence, and of aiding and abetting the carrying of an explosive during the commission of a felony.

Ibrahim Al-Hamdi - a Yemeni national - April 9, 2004, to 17 years for unlawfully possessing a firearm, possessing a firearm during and in relation to a crime of violence, and with carrying an explosive — specifically, a rocket-propelled grenade — during the commission of a crime.

Yong Ki Kwon - a naturalized US citizen - November 7, 2003, to 11 years, 6 months for conspiracy to commit an offense against the United States, use of a firearm in connection with a crime of violence, and transferring a firearm for use in a crime of violence.

Khwaja Mahmood Hasan - a naturalized US citizen - November 7, 2003, to 11 years, 3 months in prison, for conspiracy to commit an offense against the United States, and use of a firearm in connection with a crime of violence.

Muhammed Aatique - a Pakistani national - December 12, 2003, to 10 years, 2 months, for aiding others in commencing a military expedition against a friendly nation, and using and discharging a firearm in relation to a crime of violence.

Hammad Abdur-Raheem - a US citizen - June 11, 2004, to 9 years for conspiring to violate the Neutrality Act, provide material support to Lashkar-e-Taiba, and use firearms in furtherance of crimes of violence.

-more-

Donald Thomas Surratt - a US citizen - November 7, 2003, to 3 years, 10 months, for conspiracy to commit an offense against the United States, and transporting a firearm in interstate commerce with reason to know a felony would be committed with it.

This case was investigated by special agents of the Federal Bureau of Investigation, Washington Field Office and prosecuted for the United States by Assistant United States Attorney Gordon D. Kromberg and Department of Justice Trial Attorney John T. Gibbs.

#

NOTE: See attached statement from US Attorney Paul McNulty