



***IN THE DISTRICT COURT OF THE UNITED STATES***

***For the Western District of New York***

MAY 2002 GRAND JURY  
(Empaneled May 3, 2002)

**THE UNITED STATES OF AMERICA**

03 - CR - 255

-vs-

**JABER ELBANEH,**

**Defendant.**

**Violations:**

**Title 18, United States Code,  
Sections 2339B and 2;  
Title 50, United States Code,  
Section 1705(b);  
Title 31, Code of Federal  
Regulations, Sections 595.204  
and 599.205.**

**(4 Counts)**

ORIGINAL  
RECORDED AND FILED  
UNITED STATES DISTRICT COURT CLERK  
WESTERN DISTRICT OF NEW YORK

DEC 15 2003

BY:                     

**COUNT I**

**The Grand Jury Charges:**

From in or about Spring 2001, through on or about September 13, 2002, in the Western District of New York and elsewhere, the defendant, JABER ELBANEH, together with Yahya Goba, Shafal Mosed, Yasein Taher, Faysal Galab, Mukhtar Al-Bakri, and Sahim Alwan, and others known and unknown to the grand jury, did knowingly and



unlawfully combine, conspire, confederate and agree to provide material support and resources, as that term is defined in Title 18, United States Code, Section 2339A(b), to a foreign terrorist organization, namely al Qaeda.

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

COUNT II

The Grand Jury Further Charges:

From in or about Spring 2001, through in or about August 2001, the exact dates being to the Grand Jury unknown, in the Western District of New York and elsewhere, the defendant, JABER ELBANEH, did knowingly and unlawfully provide and attempt to provide material support and resources, as that term is defined in Title 18, United States Code, Section 2339A(b), to a foreign terrorist organization, namely al Qaeda.

All in violation of Title 18, United States Code, Sections 2339B and 2.



### COUNT III

#### **The Grand Jury Further Charges:**

From in or about Spring 2001, through on or about September 13, 2002, in the Western District of New York and elsewhere, the defendant, JABER ELBANEH, being a United States person, did willfully violate a regulation issued under Chapter 35 of Title 50, United States Code, in that the defendant, JABER ELBANEH, together with Yahya Goba, Shafal Mosed, Yasein Taher, Faysal Galab, Mukhtar Al-Bakri, and Sahim Alwan, and others known and unknown, did conspire to willfully and unlawfully make a contribution of funds and services to and for the benefit of Usama bin Ladin and al Qaeda, specially designated terrorists.

All in violation of Title 50, United States Code, Section 1705(b), Title 31, Code of Federal Regulations, Sections 595.204 and 595.205.

### COUNT IV

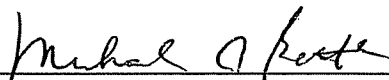
#### **The Grand Jury Further Charges:**

From in or about Spring 2001, through on or about August 2001, the exact dates being to the Grand Jury unknown, in the Western District of New York and elsewhere, the defendant, JABER ELBANEH,

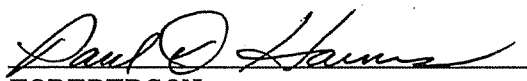
being a United States person, did willfully violate a regulation issued under Chapter 35 of Title 50, United States Code, in that the defendant, JABER ELBANEH, did willfully and unlawfully make and attempt to make a contribution of funds and services to and for the benefit of Usama bin Ladin and al Qaeda, specially designated terrorists.

All in violation of Title 50, United States Code, Section 1705(b), Title 18, United States Code, Section 2, and Title 31, Code of Federal Regulations, Sections 595.204 and 595.205.

DATED: Buffalo, New York, December 15, 2003.

  
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MICHAEL A. BATTLE  
United States Attorney

A TRUE BILL:

  
\_\_\_\_\_  
FOREPERSON