

IN THE DISTRICT COURT OF THE UNITED STATES

For the Western District of New York

**April 2014 Grand Jury
(Impaneled April 15, 2014)**

THE UNITED STATES OF AMERICA

INDICTMENT

-VS-

Violations:

MUFID A. ELFGEEH

18 U.S.C. §§ 2339B, 1114(3), and
924(c)(1)(A), and 26 U.S.C. §
5861(d)

(7 Counts)

COUNT 1

(Attempt to Provide Material Support to a Foreign Terrorist Organization)

The Grand Jury Charges That:

From in or about December 2013 to on or about May 31, 2014, in the Western District of New York, the defendant, **MUFID A. ELFGEEH**, a citizen of the United States, knowingly did attempt to provide material support and resources, as that term is defined in Title 18, United States Code, Section 2339A(b), that is, personnel, specifically, a person known to the grand jury and identified here as Individual A, to a designated foreign terrorist organization, namely the Islamic State of Iraq and the Levant (“ISIL”) a/k/a the Islamic State of Iraq and Syria (“ISIS”) a/k/a ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham a/k/a Daesh a/k/a Dawla al Islamiya, knowing that ISIL/ISIS was a designated foreign terrorist

organization, had engaged and was engaging in terrorist activity, as that term is defined in Title 8, United States Code, Section 1182(a)(3)(B), and had engaged and was engaging in terrorism, as that term is defined in Title 22, United States Code, Section 2656f(d)(2).

All in violation of Title 18, United States Code, Section 2339B(a)(1).

COUNT 2

(Attempt to Provide Material Support to a Foreign Terrorist Organization)

The Grand Jury Further Charges That:

From in or about December 2013 to on or about May 31, 2014, in the Western District of New York, the defendant, **MUFID A. ELFGEEH**, a citizen of the United States, knowingly did attempt to provide material support and resources, as that term is defined in Title 18, United States Code, Section 2339A(b), that is, personnel, specifically, a person known to the grand jury and identified here as Individual B, to a designated foreign terrorist organization, namely the Islamic State of Iraq and the Levant (“ISIL”) a/k/a the Islamic State of Iraq and Syria (“ISIS”) a/k/a ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham a/k/a Daesh a/k/a Dawla al Islamiya, knowing that ISIL/ISIS was a designated foreign terrorist organization, had engaged and was engaging in terrorist activity, as that term is defined in Title 8, United States Code, Section 1182(a)(3)(B), and had engaged and was engaging in terrorism, as that term is defined in Title 22, United States Code, Section 2656f(d)(2).

All in violation of Title 18, United States Code, Section 2339B(a)(1).

COUNT 3

(Attempt to Provide Material Support to a Foreign Terrorist Organization)

The Grand Jury Further Charges That:

From in or about February 2014 to in or about March 2014, in the Western District of New York, the defendant, **MUFID A. ELFGEEH**, a citizen of the United States, knowingly did attempt to provide material support and resources, as that term is defined in Title 18, United States Code, Section 2339A(b), that is, personnel, specifically, a person known to the grand jury and identified here as Individual C, to a designated foreign terrorist organization, namely the Islamic State of Iraq and the Levant (“ISIL”) a/k/a the Islamic State of Iraq and Syria (“ISIS”) a/k/a ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham a/k/a Daesh a/k/a Dawla al Islamiya, knowing that ISIL/ISIS was a designated foreign terrorist organization, had engaged and was engaging in terrorist activity, as that term is defined in Title 8, United States Code, Section 1182(a)(3)(B), and had engaged and was engaging in terrorism, as that term is defined in Title 22, United States Code, Section 2656f(d)(2).

All in violation of Title 18, United States Code, Section 2339B(a)(1).

COUNT 4

(Attempt to Kill Officers and Employees of the United States)

The Grand Jury Further Charges That:

From on or about December 9, 2013, to and including May 31, 2014, in the Western District of New York, the defendant, **MUFID A. ELFGEEH**, with premeditation and malice aforethought, did unlawfully attempt to kill officers and employees of the United

States, namely current and former members of the United States military, on account of the performance of their official duties.

All in violation of Title 18, United States Code, Sections 1114(3) and 1113.

COUNT 5

(Possession of Firearms and Silencers in Furtherance of a Crime of Violence)

The Grand Jury Further Charges That:

On or about May 31, 2014, in the Western District of New York, the defendant, **MUFID A. ELFGEEH**, in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, that is, a violation of Title 18, United States Code, Section 1114(3), as set forth in Count 4 of this Indictment, the allegations of which are incorporated herein by reference, knowingly and unlawfully did possess firearms equipped with firearm silencers, namely, one (1) Glock 26, 9 millimeter handgun equipped with a silencer, and one (1) Walther PPK, .32 caliber handgun equipped with a silencer.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A) and 924(c)(1)(B)(ii).

COUNT 6

(Possession of Unregistered Firearm Silencer)

The Grand Jury Further Charges That:

On or about May 31, 2014, in the Western District of New York, the defendant, **MUFID A. ELFGEEH**, knowingly did receive and possess a firearm, that is, a firearm

silencer for a Glock 26, 9 millimeter handgun, not registered to him in the National Firearms Registration and Transfer Record.

All in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

COUNT 7

(Possession of Unregistered Firearm Silencer)

The Grand Jury Further Charges That:

On or about May 31, 2014, in the Western District of New York, the defendant, **MUFID A. ELFGEEH**, knowingly did receive and possess a firearm, that is, a firearm silencer for a Walther PPK, .32 caliber handgun, not registered to him in the National Firearms Registration and Transfer Record.

All in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

DATED: Rochester, New York, September 16, 2014.

WILLIAM J. HOCHUL, JR.
United States Attorney

BY: s/Brett A. Harvey
BRETT A. HARVEY
Assistant United States Attorney
United States Attorney's Office
Western District of New York
500 Federal Building
100 State Street
Rochester, New York 14614
(585) 399-3949
Brett.Harvey@usdoj.gov

BY: s/Frank H. Sherman
FRANK H. SHERMAN
Assistant United States Attorney
United States Attorney's Office
Western District of New York
500 Federal Building
100 State Street
Rochester, New York 14614
(585) 399-3934
Frank.Sherman@usdoj.gov

A TRUE BILL:

s/Foreperson
FOREPERSON