

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES, :  
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 - v - :  
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 Mohammed Abudllah Warsame : **RULE 5(C)(3) AFFIDAVIT**  
 a/k/a Abu Maryam :  
 a/k/a Abu Zaynab, :  
 :  
 Defendant :  
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SOUTHERN DISTRICT OF NEW YORK, ss.:

Terrence McGhee, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD") and is currently assigned to the Joint Terrorist Task Force ("JTTF"), which is made up of, among others, Special Agents with the Federal Bureau of Investigation ("FBI") and Detectives with the NYPD, and charges as follows:

On or about January 20, 2004, the United States District Court for the District of Minnesota issued a Warrant for Arrest of MOHAMMED ABDULLAH WARSAME, a/k/a "Abu Maryam," a/k/a "Abu Zaynab," pursuant to Indictment 04-29 (JRT/FLN) that charges WARSAME with participating in a conspiracy to provide material support to a designated foreign terrorist organization, namely, al Qaeda, in violation of Title 18, United States Code, Section 2339B. Copies of the Warrant for Arrest and Indictment 04-29 (JRT/FLN) are attached hereto and are incorporated herein by reference.

I believe that MOHAMMED ABDULLAH WARSAME, who is currently in federal custody in the Southern District of New York, is the same individual as the MOHAMMED ABDULLAH WARSAME who is wanted in the District of Minnesota.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am a Detective with the NYPD and am currently assigned to the JTTF, working out of the FBI offices in New York, New York. I am one of the law enforcement officers assigned to assist in the investigation of an individual named MOHAMMED ABDULLAH WARSAME for whom a Warrant for Arrest was issued in the District of Minnesota. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned relating to MOHAMMED ABDULLAH WARSAME.

Where I report statements made by others, those statements are described in substance and in part, unless otherwise indicated.

2. Based on my participation in the investigation of MOHAMMED ABDULLAH WARSAME, my review of reports prepared by FBI agents and others, and my discussions with FBI agents and other law enforcement officers, I am aware of the following:
  - a. On or about December 8, 2003, FBI agents in Minneapolis, Minnesota, approached an individual whom they had previously identified as MOHAMMED ABDULLAH WARSAME. After being approached, WARSAME voluntarily agreed to speak with the FBI agents, and was subsequently interviewed by them. During this interview, WARSAME admitted that he was MOHAMMED ABDULLAH WARSAME, and that he had also used the alias "Abu Maryam" in connection with his attendance at a training camp at which Usama bin Laden was present in Afghanistan during 2000 and 2001.
  - b. On or about December 9, 2003, MOHAMMED ABDULLAH WARSAME was placed under arrest by FBI agents in Minneapolis pursuant to a material witness warrant that was issued in the United States District Court for the Southern District of New York. The material witness warrant had been issued for MOHAMMED ABDULLAH WARSAME, a/k/a "Abu Maryam." Following his arrest, FBI agents obtained pedigree information from WARSAME, who again admitted that he was MOHAMMED ABDULLAH WARSAME. Later that day, WARSAME appeared before a United States Magistrate Judge in the District of Minnesota. At no time during the ensuing court proceedings in Minnesota did WARSAME contest identity. On or about December 18, 2003, WARSAME was ordered removed to the Southern District of New York.
  - c. Subsequently, on or about December 23, 2003, MOHAMMED ABDULLAH WARSAME was transferred to the Southern District of New York. At all times following his arrest in Minneapolis on or about December 9, 2003, the individual who identified himself to FBI agents as MOHAMMED ABDULLAH WARSAME has been in the custody of the United States.
3. For all of the foregoing reasons, I believe that MOHAMMED ABDULLAH WARSAME, who is in custody in the Southern District of New York, is MOHAMMED ABDULLAH WARSAME, the

Wherefore, deponent prays that the above-named defendant be imprisoned or bailed, as the case may be.

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TERRENCE McGHEE  
DETECTIVE  
NEW YORK CITY POLICE DEPARTMENT

Sworn to before me this  
21st day of Wednesday, January 21, 2004

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UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK