



# Department of Justice

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## **Five Radical Islamists Convicted of Conspiring to Kill Soldiers at Fort Dix**

WASHINGTON—A jury today convicted five men on charges they plotted to kill members of the U.S. military, announced Patrick Rowan, Assistant Attorney General for National Security, and Acting U.S. Attorney Ralph J. Marra, Jr.

After 5½ days of deliberations, which began Dec. 17, 2008, the jury convicted Mohamad Ibrahim Shnewer, brothers Dritan Duka, Shain Duka and Eljvir Duka and Serdar Tatar on count one of the seven-count superseding indictment that charged them with conspiracy to murder members of the U.S. military. The jury acquitted each of defendants of count two, which charged attempt to murder members of the U.S. military.

For the conspiracy conviction only, each of the defendants faces a sentence of any number of years up to life in prison.

The case was tried by Deputy Assistant U.S. Attorney William E. Fitzpatrick and Assistant U.S. Attorney Michael A. Hammer, Jr., Chief of the U.S. Attorney's Office Terrorism Unit.

U.S. District Judge Robert B. Kugler, who presided over the 12-week trial, scheduled sentencing of the three Duka brothers for April 22, 2009. Judge Kugler scheduled sentencing of Shnewer and Tartar on April 23, 2009.

The remaining counts of the superseding indictment, which was returned in January, charged the three Duka brothers, who are illegal immigrants, and Shnewer with firearm offenses; including possession of machine guns. See below for conviction details on each of the defendants.

The defendants' arrests occurred on May 7, 2007, in Cherry Hill as Dritan and Shain Duka were meeting a confidential government witness to purchase four automatic M-16 rifles and three semi-automatic AK-47 rifles to be used in a future attack on military personnel. The other defendants were arrested at various locations at about the same time.

"Today's verdicts underscore the need for continued vigilance against homegrown terror threats," said Assistant Attorney General Rowan. "While these defendants were not members of an international terrorist organization, their involvement in weapons training, their surveillance of domestic targets and their discussions of killing U.S. military personnel posed a serious threat that required the law enforcement disruption and the prosecutions upheld by the jury today."

"These men planned, trained and ceaselessly talked unambiguously about their intention to ambush and kill U.S. soldiers," said Marra. "The word should go out to any other would-be terrorists of the homegrown variety that the United States will find you, infiltrate your group, prosecute you and send you to a federal prison for a very long time."

"Vigilance was the key to disrupting the dangerous terrorists convicted today and we are glad they are off the street," said Janice K. Fedarcyk, Special Agent in Charge of the Philadelphia Division of the FBI. "We appreciate the tip from an alert citizen who reported this suspicious activity to law enforcement. Without tips from concerned citizens or cooperation from our law enforcement partners, it is much more difficult to safeguard our nation and protect the United States from terrorist attack."

In convicting the defendants, the jury found that one member of the group conducted surveillance at Fort Dix and Fort Monmouth in New Jersey, Dover Air Force Base in Delaware and the U.S. Coast Guard in Philadelphia. The co-conspirator obtained a detailed map of Fort Dix, where they hoped to use assault rifles to kill as many

soldiers as possible, according to trial testimony and evidence.

During the trial, the jury viewed secretly recorded videotapes of the defendants performing small-arms training at a shooting range in the Pocono Mountains in Pennsylvania and watching training videos amongst themselves that included depictions of American soldiers being killed and of known foreign Islamic radicals urging jihad against the United States.

The defendants and the charges on which each was convicted are as follows:

- Mohamad Ibrahim Shnewer, 23, of Cherry Hill: conspiracy to murder members of the members of the U.S. military, and the attempted possession of AK-47 semi-automatic assault weapons to be used in the attack.
- Dritan Duka, 30 of Cherry Hill: conspiracy to murder members of the U.S. military; possession of machine guns; possession and attempted possession of machine guns in furtherance of a crime of violence; and two counts of possession of firearms by an illegal alien.
- Shain Duka, 27, of Cherry Hill: conspiracy to murder members of the U.S. military; possession of machine guns; possession and attempted possession of machine guns in furtherance of a crime of violence; and two counts of possession of firearms by an illegal alien.
- Eljvir Duka, 25, of Cherry Hill: conspiracy to murder members of the U.S. military, and possession of firearms by illegal aliens. The jury acquitted on one count of possession and attempted possession of machine guns in furtherance of a crime of violence.
- Serdar Tatar, 25, of Philadelphia: conspiracy to murder members of the U.S. military.

A sixth co-defendant, Agron Abdullahu, 26, of Buena Vista Township, Atlantic County, pleaded guilty before Judge Kugler on Oct. 31, 2007, to aiding and abetting the Duka brothers' illegal possession of weapons. Abdullahu was arrested on May 7, 2007, along with the defendants convicted today. On March 31, 2008, Judge Kugler sentenced Abdullahu to 20 months in federal prison.

The charge of conspiracy to murder members of the U.S. military carries a sentence of any number of years up to life in prison. The charge of possession of a machine gun in furtherance of a crime of violence carries a statutory maximum penalty of 30 years imprisonment. The charge of attempted possession of AK-47 semi-automatic assault weapons to be used in the attack carries a statutory maximum penalty of 10 years imprisonment. Each count of unlawful possession of machine guns carries a maximum statutory penalty of 10 years in prison. Each count of being an illegal alien in possession of firearms carries a maximum statutory penalty of 10 years in prison.

Rowan and Marra credited the Special Agents of the FBI's Philadelphia Division and the FBI South Jersey Joint Terrorism Task Force, under the direction of Special Agent in Charge Fedarcyk, in Philadelphia, for investigation of the case.

Marra and Fedarcyk also thanked investigators with member agencies of the FBI South Jersey Joint Terrorism Task Force, which comprises ICE's Philadelphia Division, under the direction of Special Agent in Charge John P. Kelleghan, the Camden County Prosecutor's Office, under the direction of the Prosecutor Warren W. Faulk, NJ State Police, under the direction of Col. Joseph "Rick" Fuentes, Superintendent, and the Delaware River Port Authority Police, under the direction of Chief Dave McClintock, for their tireless efforts on the investigation.

Additionally, Marra and Fedarcyk would like to thank the following agencies for their assistance and support: the U.S. military services at Fort Dix, Fort Monmouth, Dover Air Force Base, and the U.S. Coast Guard in Philadelphia, along with the Cherry Hill Police Department, Mt. Laurel Police Department, Cherry Hill Fire Department, Camden County Sheriff's Department, Philadelphia Police Department, Pennsylvania State Police, the Burlington County Prosecutor's Office, and N.J. Homeland Security.