



The Miami Plot to Bomb Federal Buildings & the Sears Tower

Report #2 in a NEFA series, "Target: America"
A NEFA analysis of U.S. v. Batiste
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U.S.-Based Plotters

On June 22, 2006, Narseal Batiste, Patrick Abraham, Stanley Grant Phanor, Naudimar Herrera, Burson Augustin, Lyglenson Lemorin and Rothschild Augustine were indicted in Miami, Florida on four counts, including conspiring to provide material support to Al-Qaida and conspiring to levy war against the U.S. government.¹ According to the Department of Justice, five of the men are U.S. citizens, one is a legal permanent resident, and one is a Haitian national in the U.S. illegally.²



When asked during a press conference "did any of the men have any actual contact with any members of al Qaeda that you know of?" then-Attorney General Alberto Gonzales responded, "the answer to that is no."³ Nonetheless, the men interacted closely with a cooperating government witness ("CW") who posed as a member of Al-Qaida to assist the FBI.⁴

In December 2007, a jury deadlocked on the fate of six of the men; Lyglenson Lemorin was acquitted on all charges⁵ but still faces deportation.⁶

¹ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Indictment, Filed June 23, 2006.

² Transcript of Press Conference Announcing Florida Terrorism Indictment, June 23, 2006, <http://www.nefafoundation.org/miscellaneous/Miami/PressConfTranscript.pdf>.

³ Transcript of Press Conference Announcing Florida Terrorism Indictment, June 23, 2006, <http://www.nefafoundation.org/miscellaneous/Miami/PressConfTranscript.pdf>.

⁴ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Indictment, Filed June 23, 2006.

⁵ "Jurors Deadlock in 6 of 7 Defendants in Plot to Destroy Sears Tower," *Associated Press*, December 14, 2007.

⁶ "Haitian Immigrant Acquitted in Terrorism Cases Faces Deportation," *Associated Press*, December 19, 2007.

Desire for an Attack "Just as Good or Greater than 9/11"

According to a U.S. government court filing, the leader of the group, Narseal Batiste, "wanted to wage violent war, or 'jihad,' against the United States government in order to...replace it with an Islamic government. Batiste's objective was to form and train an army of soldiers to wage this war, which would be initiated by the destruction of the Sears Tower..."⁷

The same court filing asserts that Batiste hoped to "wage a 'full ground war' against the United States in order to 'kill all the devils we can,' in a mission that would 'be just as good or greater than 9/11.'"⁸

The Targets – The Sears Tower

The indictment alleges that "Batiste recruited and supervised individuals in order to organize and train for a mission to wage war against the U.S. government, which included a plot to destroy by explosives the Sears Tower in Chicago, Illinois."⁹

Another U.S. government filing adds detail to Batiste's plan: "citing his experience in the construction field and his familiarity with razing buildings, he [Batiste] considered using dynamite or a more powerful explosive that would achieve his goal of taking down the Sears Tower. In this regard, Batiste explained, 'If I can put up a building, I should definitely know how to take one down.'"¹⁰

Additionally, during a detention hearing, a federal prosecutor alleged that Batiste sought to use the destruction of the Sears Tower to distract law enforcement so he could free his "Muslim brothers" from a nearby prison. Batiste wanted these prisoners to supplement his "army."¹¹

Despite Batiste's hopes, there was a gap between his group's capabilities and its intent. Commenting on the Sears Tower plans, FBI Deputy Director John Pistole stated, "One of the individuals was familiar with the Sears Tower, had worked in Chicago and had been there, so was familiar with the tower. But in terms of the plans, it was more aspirational than operational."¹² Then-Attorney General Gonzales added, "our philosophy...is that we try to identify plots in the earliest stages possible, because we don't know what we don't know about a terrorism plot."¹³

FBI Director Robert Mueller has also vigorously defended the FBI in the face of criticism that the indicted individuals were hapless amateurs who never could have pulled off their grandiose plans. Mueller remarked, "And so while people can second

⁷ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

⁸ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

⁹ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Indictment, Filed June 23, 2006.

¹⁰ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

¹¹ Laura Wides-Munoz, "Prosecutor: Suspect Also Sought to Free Muslim Prisoners," *Associated Press*, July 1, 2006.

¹² Transcript of Press Conference Announcing Florida Terrorism Indictment, June 23, 2006, <http://www.nefafoundation.org/miscellaneous/Miami/PressConfTranscript.pdf>.

¹³ Transcript of Press Conference Announcing Florida Terrorism Indictment, June 23, 2006, <http://www.nefafoundation.org/miscellaneous/Miami/PressConfTranscript.pdf>.

guess, what do we do, let 'em walk? And if we let 'em walk, who is to say that two or three months down the road they don't go to somebody who actually will provide the weapons or the explosives...and you've got a terrorist attack that we've walked away from? Can't do that. I have no apologies whatsoever on the Miami case."¹⁴

The Targets – Five FBI Offices/Other Government Buildings

In addition to plotting to use explosives to destroy the Sears Towers, the men "agreed to assist in a fictitious al Qaeda plot"¹⁵ "to use explosives to destroy the offices of the Federal Bureau of Investigation in Miami, Los Angeles, New York City, Chicago, and Washington D.C.," according to government filings. The government notes that the plan was suggested by the CW.¹⁶

Conducting Surveillance on Government Buildings

The government alleges that upon learning of the purported Al-Qaida plan, "Batiste promised that he would get 'good footage' of the FBI building" in North Miami Beach "to assist in the bombing plot."¹⁷

The indictment further charges that "on or about March 26, 2006...Narseal Batiste and Burson Augustin provided 'the al Qaeda representative' with photographs of the FBI building [in North Miami Beach Florida], as well as photographs and video footage of the James Lawrence King Federal Building, federal courthouse buildings, the Federal Detention Center, and the Miami Dade Police Department, all located in Miami-Dade County, Florida."¹⁸



Surveillance photo

After providing the CW with the surveillance material, Batiste allegedly "offered to be more involved in the Al Qaeda plan. He also discussed the specifics of the efforts it would take to blow up such buildings."¹⁹

Swearing "Bayat" to Al-Qaida

According to a government filing, on March 10, 2006, "Batiste swore an oath of 'bayat' or loyalty to Al-Qaida. As the leader of the group, Batiste was the first to take the oath with the remaining defendants to follow. Thereafter, on March 16, 2006...the defendants each individually swore an oath of 'bayat' to Al Qaeda."²⁰ The same

¹⁴ Ronald Kessler, *The Terrorist Watch: Inside the Desperate Race to Stop the Next Attack*, Crown Forum, New York, N.Y., © 2007.

¹⁵ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion to Disqualify the Federal Public Defender's Office from Representing Defendant Narseal Batiste Based on Conflict of Interest, Filed June 29, 2006.

¹⁶ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

¹⁷ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

¹⁸ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Indictment, Filed June 23, 2006.

¹⁹ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

²⁰ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

government filing states, "the oath included a pledge to be an Islamic soldier, to be a loyalist to the path of holy war, and to act at the direction of al Qaeda."²¹

Additionally, the government notes that "just prior to the oath taking, Batiste told the CW how grateful he was for the support he was receiving from Usama bin Laden, and how much he admired the work Bin Laden was doing and characterized him as an angel sent from Allah."²²

The government has video surveillance footage of the bayat ceremonies.²³



Patrick Abraham

Rothschild Augustine

Batiste's "Wish List"

A government filing further charges that in a meeting with the CW, Batiste wrote out a list of materials he needed to "build an 'Islamic army' to wage jihad," "which included uniforms, boots, machine guns, radios, and vehicles."²⁴

In subsequent meetings, Batiste also requested Sport Utility Vehicles, bullet proof vests, binoculars, cash, cell phones, and "cameras for photographic and video reconnaissance of buildings targeted by Batiste's organization."²⁵

According to the government, "the CW accommodated some of Batiste's requests, supplying him with eight pairs of combat boots in sizes provided by Batiste, a cellular telephone, \$3500 in cash, as well as a digital camera which could be used to take both photographs and video footage of buildings."²⁶

²¹ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

²² U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

²³ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

²⁴ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

²⁵ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

²⁶ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

Batiste's Desire to Establish a Training Camp in Louisiana & Attend Al-Qaida Training Camps

Federal prosecutors assert that Batiste "wanted to use land he owned in Louisiana to set up a training ground."²⁷ (Notably, other terrorists have contemplated establishing training camps in the U.S., in locations such as Oregon²⁸ and Arizona.²⁹)

Moreover, Batiste allegedly "said that he liked...Al Qaeda training and that he wanted to send small groups at a time to attend such training."³⁰ He identified the "second week of April" 2006 as the timeframe in which he desired that training.³¹

Playing Paintball to Train for Jihad

Burson Augustin told FBI agents that the group trained for jihad by playing paintball in woods south of Miami; the men even used a U.S. flag for target practice at one point. According to a FBI summary, "The training was realistic and Augustin was told that he 'had to be careful' to avoid public scrutiny."³²

Details on Meetings between the CW and the Defendants: The Warehouse

Court documents note that meetings "between the CW and defendants took place in various locations, including an abandoned store in Liberty City, which defendants referred to as the 'embassy,' where defendants regularly met in order to discuss their mission in private. They also met at a warehouse purportedly provided to the defendants by Al Qaeda as a location where they could meet and conduct training exercises."³³

Additional Information – Considering Targeting the Empire State Building

In a recorded conversation with the CW, Batiste said, "I'm gonna tell you there's two major buildings that you gotta blow up. The Empire State Building and...the...Sears Tower. With those two buildings down, all radio communication is out."³⁴

Additional Information – The Moorish Science Temple

Court documents and media reports also reveal a link between the plotters and the Moorish Science Temple.³⁵

The Moorish Science Temple of America's website provides background on the group, noting that the religion was founded by Noble Drew Ali, a "divine prophet" from

²⁷ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

²⁸ U.S. v. Rashid, (S.D. N.Y.), 05-MAG-1076, Complaint, Filed June 20, 2005.

²⁹ "U.S.: Man Tried to Set up Terror Camp in Ariz.," *Associated Press*, March 2, 2005.

³⁰ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

³¹ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Indictment, Filed June 23, 2006.

³² "Feds: Miami Terror Cell Practiced with Paintball," *Associated Press*, July 6, 2007.

³³ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

³⁴ "Video Discloses Alleged Plot to Target Sears Tower," *CBS 2 Chicago*, August 24, 2006.

³⁵ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion to Disqualify the Federal Public Defender's Office from Representing Defendant Narseal Batiste Based on Conflict of Interest, Filed June 29, 2006 and Charles Rabin and Alexandra Alter, "A Blend of Faiths, a Dash of Martial Arts," *Knight Ridder*, June 24, 2006.

North Carolina whose duty was to "save nations from the wrath of Allah." The website adds, "the object of our organization is to help in the great program of uplifting fallen humanity and teach those things necessary to make our members better citizens...The star and crescent, fezzes, turban, membership card, button, Moorish Flag, and the correction of 'El' or 'Bey' to the surname signify Moorish identity."³⁶ In the indictment, Lyglenson Lemorin is identified as "Brother Levi-El."

Additional Information – Chicago Links

A government filing discloses the involvement of Chicago resident Charles Stewart (a.k.a. Sultan Khanbey). Stewart traveled to Miami with his wife (known as Queen Zakayaah) and, during a meeting at the warehouse monitored by the government, discussed "bringing about a revolution to help the people" with Batiste. Stewart spoke of nationalizing "10,000 people into the Moorish nation." Stewart asserted that they were "'vanguards' and 'angels' here to rid the Earth of filth, that they were a nation and would do what nations do, and that as long as they stood on Islam, they were impregnable."³⁷

On May 5, 2005, Bureau of Alcohol, Tobacco and Firearms (ATF) agents arrested Stewart for being a felon in possession of a firearm. Following his arrest, he provided information to the government on the Miami group.³⁸

Additional Information – Dissent within the Group

Federal prosecutors note that "a dispute arose between Batiste and Stewart" which "apparently caused a rift in Batiste's organization."³⁹

According to a detention hearing, court filings, and media reports, Stewart suspected that the CW was an FBI informant and criticized Batiste for allowing the infiltration. Stewart even put Batiste on "trial" for treason and convicted him; in response, the Miami group fractured over whether to continue to support Batiste.⁴⁰

The situation further deteriorated when, as a court filing documents, "Stewart allegedly shot a gun at a person after an argument inside 'the embassy.'"⁴¹ Media reports have identified that person as another Batiste mentor known as Master Athea, who purportedly is also cooperating with the U.S. government.⁴²

³⁶ Moorish Science Temple website:

<http://www.moorishsciencetempleofamericainc.com/page5.html>.

³⁷ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion to Disqualify the Federal Public Defender's Office from Representing Defendant Narseal Batiste Based on Conflict of Interest, Filed June 29, 2006.

³⁸ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion to Disqualify the Federal Public Defender's Office from Representing Defendant Narseal Batiste Based on Conflict of Interest, Filed June 29, 2006.

³⁹ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion to Disqualify the Federal Public Defender's Office from Representing Defendant Narseal Batiste Based on Conflict of Interest, Filed June 29, 2006.

⁴⁰ Jay Weaver and David Ovalle, "Informants Risked their Lives to Expose 'Liberty City Seven,'" *The Seattle Times*, July 17, 2006.

⁴¹ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion to Disqualify the Federal Public Defender's Office from Representing Defendant Narseal Batiste Based on Conflict of Interest, Filed June 29, 2006.

These conflicts stalled the progress of the plot. The indictment states, "on or about May 24, 2006, Narseal Batiste told the 'al Qaeda representative' that he was experiencing delays because of various problems within his organization but that he wanted to continue his mission and maintain his relationship with al Qaeda."⁴³ During that meeting, Batiste told the CW, "I want to fight some jihad. That's all I live for."⁴⁴

Additional Information - Origins of the Investigation

According to a government filing, "Batiste first came to the attention of law enforcement in late October, 2005, when it was reported that Batiste discussed with others his desire to form an army and fight jihad from within the United States in order to overthrow the government."⁴⁵

Further, "Batiste attempted to recruit an individual whom he had learned was traveling to the Middle East to assist Batiste in locating foreign Islamic extremists to fund his mission. Unbeknownst to Batiste, the person he asked alerted the FBI who caused to be introduced to Batiste a cooperating witness ("CW") of Arabic decent who passed himself off as such a representative and later told Batiste specifically that he was from Al Qaeda." The first meeting between the CW and Batiste occurred on December 16, 2005.⁴⁶

Additional Information – The Homegrown Threat

In announcing the arrests, then-Attorney General Gonzales remarked that the investigation highlights the threat posed by homegrown terror cells: "Today, terrorist threats may come from smaller, more loosely defined cells who are not affiliated with al Qaeda, but who are inspired by a violent jihadist message. And left unchecked, these home grown terrorists may prove to be as dangerous as groups like al Qaeda."⁴⁷

Elaborating on the homegrown threat on the day of the indictments, FBI Director Robert Mueller commented:

"These extremists are self-recruited, self-trained, and self-executing. They may not have any connection to al Qaeda or to other terrorist groups. They share ideas and information in the shadows of the Internet. They gain inspiration from radical websites that call for violence.

They raise money by committing low-level crimes that do not generate much attention. They answer not to a particular leader, but to an ideology. In short, they operate under the radar. And that makes their detection that much more difficult for all of us."⁴⁸

⁴² Jay Weaver and David Ovalle, "Informants Risked their Lives to Expose 'Liberty City Seven,'" *The Seattle Times*, July 17, 2006.

⁴³ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Indictment, Filed June 23, 2006.

⁴⁴ Walter Pincus, "FBI Role in Terror Probe Questioned," *The Washington Post*, September 2, 2006.

⁴⁵ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

⁴⁶ U.S. v. Batiste, (S.D. FL.), 06-CR-20373, Government's Motion for Pretrial Detention, Filed June 29, 2006.

⁴⁷ Transcript of Press Conference Announcing Florida Terrorism Indictment, June 23, 2006, <http://www.nefafoundation.org/miscellaneous/Miami/PressConfTranscript.pdf>.

⁴⁸ Remarks by Director Robert S. Mueller, III, Federal Bureau of Investigation, The City Club of Cleveland, Cleveland, Ohio, June 23, 2006,

Adding additional details, Mueller noted "that radicalization is fluid; it does not follow a set formula or timetable." He continued:

"Radicalization often starts with individuals who are frustrated with their lives or with the politics of their home governments. They may be U.S.-born, or, as we saw in London, second-generation citizens.

Some may be lonely or dissatisfied with their role in society. Others may have friends or mentors who encourage membership for social reasons.

Once a person has joined an extremist group, he or she may start to identify with an ideology—one that encourages violence against a government and its citizens. They may become increasingly isolated from their old lives, drift away from family and friends, and spend more time with other members of the extremist group.

As they become more and more involved in the group, they may decide to take action to support the cause—actions such as selecting targets, conducting surveillance, raising money, and procuring materials. As talk moves to action, an extremist can become a terrorist.

The evolution from extremism to terrorism can take place anywhere, from academic settings, mosques, prisons, and community centers to the Internet."⁴⁹

Additional Information – The Threat from "Insiders"

According to May 2007 media reports, Rothschild Augustine, Patrick Abraham, and Stanley Grant Phanor all had held private security guard licenses.⁵⁰ While there are no indications that the men used their access to facilitate their plotting, other terrorists have exploited their "insider" status to scout possible targets.

For example, in May 2007, authorities indicted six men who were allegedly plotting to attack the Fort Dix Army base in New Jersey. The men considered Fort Dix an appealing target because one of the suspects, Serdar Tatar, had delivered pizzas there and thus knew "it like the palm of his hand."⁵¹ Another plotter "wanted to join the U.S. Army so that he could kill U.S. soldiers from the 'inside.'"⁵² And Russell Defreitas, charged in June 2007 with plotting to attack JFK Airport in New York, worked at JFK and claimed he "had conducted multiple tests of the security" there.⁵³

Moreover, convicted terrorist Gregory Patterson, whose cell considered attacking the El Al terminal at Los Angeles International Airport (LAX),⁵⁴ spent several months

<http://www.nefafoundation.org/miscellaneous/Miami/MuellerSpeech.pdf>.

⁴⁹ Remarks by Director Robert S. Mueller, III, Federal Bureau of Investigation, The City Club of Cleveland, Cleveland, Ohio, June 23, 2006,

<http://www.nefafoundation.org/miscellaneous/Miami/MuellerSpeech.pdf>.

⁵⁰ Stephen Majors, "Terror Suspect had Acquired Fla. Security Guard License, Despite Tough Rules," *Associated Press*, May 29, 2007.

⁵¹ U.S. v. Duka, (D. N.J.), No. 1:07-CR-00459-RBK, Complaint, Filed May 7, 2007.

⁵² U.S. v. Duka, (D. N.J.), No. 1:07-CR-00459-RBK, Complaint, Filed May 7, 2007.

⁵³ U.S. v. Defreitas, (E.D. N.Y.), Complaint, Filed June 1, 2007.

⁵⁴ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

working at a duty-free shop in the airport.⁵⁵ The plea agreement for plot mastermind Kevin James states that "in March 2005, defendant wrote a letter to [co-conspirator Levar] Washington telling him that Patterson should keep his job at Los Angeles International Airport..."⁵⁶ Finally, Hassan Abujihad, who has been indicted on terrorism and espionage charges for passing classified military information to an Al-Qaida webmaster,⁵⁷ had been stationed at the San Diego military base he plotted against. Abujihad was aware that his intelligence on the target might be outdated: "whatever I can give you that's beneficial, I'll give it to you. But whatever's cold turkey...if it's cold turkey, I can't give it to you...I can't give you the fresh meal I ain't been there in X amount of years. You see what I'm saying?"⁵⁸

Additional Information – Terrorist Exploitation of Paintball & Outdoor Training

As noted above, the men played paintball to prepare for jihad.⁵⁹

Terrorists have demonstrated a strong affinity for paintball in recent years. For example, throughout 2001, a Northern Virginia-based cell affiliated with LeT regularly played paintball in Spotsylvania County, Virginia. A court ruling in the case notes that the men used "paintball as a vehicle for jihad" and in "preparation for real combat;" further, "to improve their paintball skills, the group asked those with military experience...to lead drills."⁶⁰ Additionally, two men indicted in Atlanta on terrorism charges "engaged in physical and rudimentary training, including activities with paintball guns, in Northwestern Georgia."⁶¹ And, according to the BBC, investigators determined that 7/7 suicide bomber Mohammad Sidique Khan regularly played paintball with a group of radical associates "immediately after watching extremely violent videos depicting Muslim suffering around the world."⁶²

Reflecting this trend, the official British government report on the 7/7 bombings states,

"Camping, canoeing, white-water rafting, paintballing and other outward bound type activities are of particular interest because they appear common factors for the 7 July bombers and other cells disrupted previously and since...It is worth noting that for some extremist activities – e.g. fighting overseas – physical fitness and resilience are essential. They [such trips] may also be used to help with bonding between members of

⁵⁵ Amy Argetsinger and Dan Eggen, "L.A. Holdups Linked to Islamic Group, Possible Terrorist Plot," *The Washington Post*, August 17, 2005.

⁵⁶ *U.S. v. James*, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James - Attachment A, Filed December 14, 2007.

⁵⁷ *U.S. v. Abujihad*, (D.C. CT.), No. 3:07-CR-57, Indictment, Filed March 21, 2007.

⁵⁸ *U.S. v. Abujihad*, (D.C. CT.), No. 3:07-CR-57, Motion in Limine and Memorandum in Support of the Admission of Evidence Pursuant to Federal Rules of Evidence 801(d)(2)(E) and 801(d)(2)(A), Filed October 19, 2007.

⁵⁹ "Feds: Miami Terror Cell Practiced with Paintball," *Associated Press*, July 6, 2007.

⁶⁰ *U.S. v. Khan*, (E.D. VA.), No. 03-296-A, Memorandum Opinion, Filed March 4, 2004.

⁶¹ *U.S. v. Ahmed*, (N.D. GA.), No. 1:06-CR-147-CC, Indictment, Filed July 19, 2006.

⁶² "7 July Bomber's Motives Examined," *BBC*, November 17, 2005.

cells already established, or for more direct indoctrination or operational training and planning."⁶³

⁶³ "Report of the Official Account of the Bombings in London on 7th July 2005," House of Commons, May 11, 2006.