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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY:

DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

July 2002 Grand Jury

UNITED STATES OF AMERICA,  
Plaintiff,

v.

SYED MUSTAJAB SHAH (1),  
aka Syed Saadar Ali Shah,  
aka Badshah Khan,  
aka Syed Saadat Ali Faraz,  
aka Shajee,  
MUHAMMED ABID AFRIDI (2),  
aka Sunny  
aka Saifullah Durrani,  
ILYAS ALI (3),  
Defendants.

02 CR 2912 L  
Criminal Case No.

**I N D I C T M E N T**

Title 21, U.S.C., Secs. 846  
and 841(a) - Conspiracy to  
Distribute Heroin and Hashish;  
Title 21, U.S.C., Secs. 952, 960  
and 963 - Conspiracy to Import  
Heroin and Hashish; Title 18,  
U.S.C., Sec. 2339B - Providing  
Material Support to Terrorists

The grand jury charges:

Count 1

Beginning at a date unknown and continuing up to and including  
September 20, 2002, within the Southern District of California, and  
elsewhere, defendants SYED MUSTAJAB SHAH, aka Syed Saadar Ali Shah,  
aka Badshah Khan, aka Syed Saadat Ali Faraz, aka Shajee, MUHAMMED ABID  
AFRIDI, aka Sunny, aka Saifullah Durrani, and ILYAS ALI did knowingly  
and intentionally conspire together and with each other and with other

TWR:nlv(1) - San Diego  
10/30/02

10/30/02  
I have effect and verify on  
That the foregoing document is a full true and correct  
copy of the original on file in my office and in my legal  
custody.

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
[Signature]  
Deputy

1 persons known and unknown to distribute 1 kilogram and more of heroin,  
2 a Schedule I Controlled Substance, and 1,000 kilograms and more of  
3 hashish, a Schedule I Controlled Substance; in violation of Title 21,  
4 United States Code, Section 841(a)(1).

5  
6 OVERT ACTS

7 In furtherance of the above conspiracy and to effect and  
8 accomplish the objects thereof, the following overt acts, among  
9 others, were committed within the Southern District of California, and  
10 elsewhere:

- 11 1. On or about April 11, 2002, within the Southern District of  
12 California, defendant ILYAS ALI, acting on behalf of  
13 defendants SYED MUSTAJAB SHAH and MUHAMMED ABID AFRIDI,  
14 negotiated with an undercover law enforcement officer for  
15 the sale of ton quantities of hashish and multiple kilogram  
quantities of heroin.
- 16 2. On or about September 15, 2002, defendants SYED MUSTAJAB  
17 SHAH, MUHAMMED ABID AFRIDI and ILYAS ALI traveled from  
18 Karachi, Pakistan, to Hong Kong, People's Republic of  
19 China, to meet with undercover law enforcement officers  
20 from the United States and to negotiate for the sale of ton  
21 quantities of hashish and multiple kilogram quantities of  
22 heroin.
- 23 3. On or about September 16, 2002, at a hotel in Hong Kong,  
24 People's Republic of China, defendants SYED MUSTAJAB SHAH,  
25 MUHAMMED ABID AFRIDI and ILYAS ALI negotiated with  
26 undercover law enforcement officers from the United States  
27 for the sale of 5 metric tons of hashish and 600 kilograms  
28 of heroin.

1 4. On or about September 16, 2002, at a hotel in Hong Kong,  
2 People's Republic of China, defendants SYED MUSTAJAB SHAH,  
3 MUHAMMED ABID AFRIDI and ILYAS ALI agreed that the purchase  
4 price of the 5 metric tons of hashish and 600 kilograms of  
5 heroin could be offset against the cost of 4 "Stinger"  
6 anti-aircraft missiles, which the defendants stated they  
7 were interested in purchasing from the undercover law  
8 enforcement officers.

9 5. On or about September 18, 2002, at a hotel in Hong Kong,  
10 People's Republic of China, defendants SYED MUSTAJAB SHAH,  
11 MUHAMMED ABID AFRIDI and ILYAS ALI told undercover law  
12 enforcement officers from the United States that they  
13 intended to sell the "Stinger" anti-aircraft missiles  
14 discussed during the meeting on September 16, 2002, to  
15 members of the Taliban, an organization which the  
16 defendants indicated was the same as Al-Qaeda.

17 All in violation of Title 21, United States Code, Section 846.

18 Count 2

19 Beginning at a date unknown and continuing up to and including  
20 September 20, 2002, within the Southern District of California, and  
21 elsewhere, defendants SYED MUSTAJAB SHAH, aka Syed Saadar Ali Shah,  
22 aka Badshah Khan, aka Syed Saadat Ali Faraz, aka Shajee, MUHAMMED ABID  
23 AFRIDI, aka Sunny, aka Saifullah Durrani, and ILYAS ALI did knowingly  
24 and intentionally conspire together and with each other and with other  
25 persons known and unknown to import 1 kilogram and more of heroin, a  
26 Schedule I Controlled Substance, and 1,000 kilograms and more of  
27 hashish, a Schedule I Controlled Substance, into the United States  
28 from a place outside thereof; in violation of Title 21, United States  
Code, Sections 952 and 960.

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OVERT ACTS

In furtherance of the above conspiracy and to effect and accomplish the objects thereof, the overt acts alleged in Count 1, realleged herein by reference, among others, were committed within the Southern District of California, and elsewhere.

All in violation of Title 21, United States Code, Section 963.

Count 1

Beginning at a date unknown and continuing up to and including September 20, 2002, within the Southern District of California, and elsewhere, and subject to the jurisdiction of the United States, defendants SYED MUSTAJAB SHAH, aka Syed Saadar Ali Shah, aka Badshah Khan, aka Syed Saadat Ali Faraz, aka Shajee, MUHAMMED ABID AFRIDI, aka Sunny, aka Saifullah Durrani, and ILYAS ALI did knowingly and intentionally attempt and conspire together and with each other and with other persons known and unknown to provide material support and resources to a foreign terrorist organization, to wit, Al-Qaeda; in violation of Title 18, United States Code, Sections 2339B(a)(1) and (d).

OVERT ACTS

In furtherance of the above conspiracy and to effect and accomplish the objects thereof, the overt acts alleged in Count 1, realleged herein by reference, among others, were committed within the Southern District of California, and elsewhere.

DATED: October 30, 2002.

A TRUE BILL:

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Foreperson

CAROL C. LAM  
United States Attorney

By: Todd W. Robinson  
TODD W. ROBINSON  
Assistant U.S. Attorney