

FILED

2018 AUG -8 PM 4: 26

CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

1 ELIZABETH A. STRANGE
First Assistant United States Attorney
2 District of Arizona
BEVERLY K. ANDERSON
3 Assistant U.S. Attorney
Arizona State Bar No. 010547
4 United States Courthouse
405 W. Congress Street, Suite 4800
5 Tucson, Arizona 85701
Telephone: 520-620-7300
6 Email: bev.anderson@usdoj.gov
Attorneys for Plaintiff

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,
11 Plaintiff,

12 vs.

13 Mohamed Abdirahman Osman,
aka Mustaf Adan Arale;

14 (Counts 1 - 8)

15 and

16 Zeinab Abdirahman Mohamed,

17 (Counts 9-11)

18 Defendants.
19

INDICTMENT

Violations:

18 U.S.C. §§ 1546(a)
(False Swearing in Immigration
Matter)
Counts 1, 2, 3, 5, 6, 9, 10

18 U.S.C § 1001(a)(2)
(False Statement Made to a Department
Or Agency of the United States)
Counts 4, 7, 11

18 U.S.C. §§ 1001(a)(2) and 2
(Aiding and Abetting False Statements
Made to a Department or Agency of the
United States)
Count 8

SEALED

20 CR 18 - 158 4TUC Rm(BGM)
21

22 THE GRAND JURY CHARGES:

23 COUNT 1

24 On or about August 21, 2013, in an offense begun and committed outside of the
25 jurisdiction of any particular State or district of the United States, the Defendant,
26 MOHAMED ABDIRAHMAN OSMAN, aka Mustaf Adan Arale, whose last known
27 residence was in the District of Arizona, when applying for a permit, or other document
28 required for entry into the United States, namely an I-590, did knowingly evade or

1 attempt to evade the immigration laws by appearing under an assumed or fictitious name,
2 to wit Mustaf Adan Arale, without disclosing his true identity.

3 In violation of Title 18, United States Code, Section 1546(a).

4 **COUNT 2**

5 On or about August 21, 2013, in an offense begun and committed outside of the
6 jurisdiction of any particular State or district of the United States, the Defendant,
7 MOHAMED ABDIRAHMAN OSMAN, aka Mustaf Adan Arale, whose last known
8 residence was in the District of Arizona, did knowingly make under oath, a false
9 statement with respect to a material fact in an application, a document required by the
10 immigration laws and regulations prescribed thereunder, that is, a Form I-590,
11 Registration for Classification as Refugee, by:

- 12 1. Stating under number 3 that his citizenship/nationality at that time was
13 Somalia, which statement the Defendant then and there knew was false, in that
14 the Defendant's citizenship/nationality at that time was Ethiopia; and
- 15 2. Stating on Form G-325, in support of Form I-590, his father's name is Adan
16 Arale Omar, born in Mogadishu, Somalia, which statements the Defendant
17 then and there knew was false, in that the Defendant's father's name is
18 Abdirahman Osman Aden, born in Ethiopia.

19 In violation of Title 18, United States Code, Section 1546(a).

20 **COUNT 3**

21 On or about August 21, 2013, in an offense begun and committed outside of the
22 jurisdiction of any particular State or district of the United States, the Defendant
23 MOHAMED ABDIRAHMAN OSMAN, aka Mustaf Adan Arale, whose last known
24 residence was in the District of Arizona, when applying for a permit, or other document
25 required for entry into the United States, namely, an I-590 Registration for Classification
26 as Refugee, did knowingly evade or attempt to evade the immigration laws by submitting
27 a passport from the Somali Republic, number P00121088, issued September 8, 2011,
28

1 thereby appearing under an assumed or fictitious name, to wit: Mustaf Adan Arale,
2 without disclosing his true identity.

3 In violation of Title 18, United States Code, Sections 1546(a).

4 **COUNT 4**

5 On or about August 21, 2013, in an offense begun and committed outside of the
6 jurisdiction of any particular State or district of the United States, the Defendant,
7 MOHAMED ABDIRAHMAN OSMAN, aka Mustaf Adan Arale, whose last known
8 residence was in the District of Arizona, did knowingly and willfully make materially
9 false, fictitious, and fraudulent statements and representations in a matter within the
10 jurisdiction of the executive branch of the Government of the United States, by:

- 11 1. Informing a United States Citizenship and Immigration Services (USCIS)
12 Officer in Beijing, China, that his name was Mustaf Adan Arale and that he
13 was a citizen/national of Somalia. The statement and representation was false
14 because, as the Defendant then and there knew, his name was Mohamed
15 Abdirahman Osman and his country of citizenship/nationality was Ethiopia;
- 16 2. Denying having ever used any other names or variations of his name, which
17 statement the Defendant then and there knew was false, in that the Defendant
18 had used the name Mohamed Abdirahman Osman;
- 19 3. Denying having obtained or used any kind of fraudulent document, which
20 statement the Defendant then and there knew was false, in that Defendant had
21 obtained, and used a passport from the Somali Republic, number P00121088,
22 issued September 8, 2011 in the name of Mustaf Adan Arale;
- 23 4. Denying having personal acquaintance with anyone who has ever been involved
24 with Al-Shabaab, a designated foreign terrorist organization, or any other armed
25 group, which statement the Defendant then and there knew was false, in that the
26 Defendant later admitted that he had been recruited to join Al-Shabaab and
27 moved from Jijiga to Mogadishu at the direction of Al-Shabaab. The Defendant
28

1 also admitted knowing numerous Al-Shabaab members while living in
2 Mogadishu;

3 5. Denying having had contact at any time with any individual or group of people
4 associated with Al-Shabaab, which statement the Defendant then and there knew
5 was false, in that the Defendant later admitted that he had been recruited to join
6 Al-Shabaab and moved from Jijiga to Mogadishu at the direction of Al-Shabaab.
7 The Defendant later admitted knowing numerous Al-Shabaab members while
8 living in Mogadishu;

9 6. Denying ever being a representative or member of a terrorist organization or a
10 member of a group which endorses terrorist activity, which statement the
11 Defendant then and there knew was false, in that the Defendant later admitted
12 that he had been recruited to join Al-Shabaab and moved from Jijiga to
13 Mogadishu at the direction of Al-Shabaab; and

14 7. Denying that he had by fraud or willful misrepresentation of a material fact, ever
15 sought to procure, or procured, a visa, other documentation, entry into the United
16 States or any other immigration benefit, which statement the Defendant then and
17 there knew was false, in that the Defendant had procured entry into the United
18 States or an immigration benefit when he obtained, and used a passport from the
19 Somali Republic, number P00121088, issued September 8, 2011, in the name of
20 Mustaf Adan Arale, which was a false name and submitted same in support of
21 his I-590 Registration for Classification as Refugee.

22 In violation of Title 18, United States Code, Section 1001(a)(2).

23 **COUNT 5**

24 On or about June 30, 2015, at or near Tucson, in the District of Arizona, the
25 Defendant, MOHAMED ABDIRAHMAN OSMAN, aka Mustaf Adan Arale, when
26 applying for Permanent Residence status in the United States by submitting an I-485, did
27 knowingly evade or attempt to evade the immigration laws by appearing under an
28

1 assumed or fictitious name, to wit: Mustaf Adan Arale, without disclosing his true
2 identity.

3 In violation of Title 18, United States Code, Section 1546(a).

4 **COUNT 6**

5 On or about June 30, 2015, at or near Tucson, in the District of Arizona, the
6 Defendant, MOHAMED ABDIRAHMAN OSMAN, aka Mustaf Adan Arale, did
7 knowingly make under oath, a false statement with respect to a material fact in an
8 application, a document required by the immigration laws and regulations prescribed
9 thereunder, that is, a Form I-485, Application to Register Permanent Residence or Adjust
10 Status by:

- 11 1. Stating under Part 1 that his country of citizenship/nationality was Somalia,
12 which statement the Defendant then and there knew was false, in that the
13 Defendant's country of citizenship/nationality was Ethiopia;
- 14 2. Denying under Part 3, question 9, having ever sought to procure, or procured, a
15 visa, other documentation, for entry into the United States, or any immigration
16 benefit, by fraud or willful misrepresentation of a material fact, which
17 statement the Defendant then and there knew was false, in that the Defendant
18 had obtained, and used a passport from the Somali Republic, number
19 P00121088, issued September 8, 2011, in the name Mustaf Adan Arale, which
20 was a false name, and submitted same in support of his I-590 Registration for
21 Classification as Refugee;
- 22 3. Denying under Part 3, question 15.a, having ever served in, been a member of,
23 assisted in, or participated in any rebel group or insurgent organization, which
24 statement the Defendant then and there knew was false, in that the Defendant
25 later admitted that he had been recruited to join Al-Shabaab and moved from
26 Jijiga to Mogadishu at the direction of Al-Shabaab; and

1 4. Denying under Part 3, question 16, having ever been a member of, assisted in,
2 or participated in any group, unit, or organization of any kind in which you or
3 other persons used any type of weapon against any person or threatened to do
4 so, which statement the Defendant then and there knew was false, in that the
5 Defendant later admitted that he had been recruited to join Al-Shabaab and
6 moved from Jijiga to Mogadishu at the direction of Al-Shabaab.

7 In violation of Title 18, United States Code, Section 1546(a).

8 COUNT 7

9 On or about March 9, 2017, at or near Tucson, in the District of Arizona, the
10 Defendant, MOHAMED ABDIRAHMAN OSMAN, aka Mustaf Adan Arale, did
11 knowingly and willfully make materially false, fictitious, and fraudulent statements and
12 representation in a matter within the jurisdiction of the executive branch of the
13 Government of the United States, by:

- 14 1. Informing an Officer with U.S. Citizenship and Immigration Services (USCIS)
15 in Tucson, Arizona, that his name was Mustaf Adan Arale and he had never
16 used any other names at anytime. The statement and representation was false
17 because, as the Defendant then and there knew, his name was Mohamed
18 Abdirahman Osman;
- 19 2. Informing an Officer with U.S. Citizenship and Immigration Services (USCIS)
20 in Tucson, Arizona, that he was a citizen of Somalia. The statement and
21 representation was false because, as the Defendant then and there knew, he is
22 from Jijiga, Ethiopia;
- 23 3. Informing an Officer with U.S. Citizenship and Immigration Services (USCIS)
24 in Tucson, Arizona, that he had been injured in an attack by Al-Shabaab at the
25 Bakara Market in Somalia in June, 2010. The statement and representation
26 was false because, as the Defendant then and there knew, he sustained injuries
27 in 2009 while handling explosives;
- 28

- 1 4. Informing an Officer with U.S. Citizenship and Immigration Services (USCIS)
2 in Tucson, Arizona, that he had never been part of an insurgent organization or
3 any other terrorist organization such as Al-Shabaab. The statement and
4 representation was false because, as the Defendant then and there knew, the
5 Defendant later admitted that he had been recruited to join Al-Shabaab and
6 moved from Jijiga to Mogadishu at the request of Al-Shabaab; and
7 5. Informing an Officer with U.S. Citizenship and Immigration Services (USCIS)
8 in Tucson, Arizona, that he had never procured a visa, other documentation,
9 entry into the United States or any immigration benefit by fraud or willful
10 misrepresentation of a material fact, which statement the Defendant then and
11 there knew was false, in that he had obtained, and used a passport from the
12 Somali Republic, number P00121088, issued September 8, 2011, in the name of
13 Mustaf Adan Arale, which was a false name, and submitted same in support of
14 his I-590 Registration for Classification as Refugee.

15 In violation of Title 18, United States Code, Section 1001(a)(2).

16 **COUNT 8**

17 On or about March 9, 2017, at or near Tucson, in the District of Arizona, the
18 Defendant, MOHAMED ABDIRAHMAN OSMAN, aka Mustaf Adan Arale, did
19 willfully and knowingly make a materially false, fictitious, and fraudulent statement and
20 representation and aided, abetted, counseled, commanded, induced, procured and caused
21 Zeinab Abdirahman Mohamed to make a materially false, fictitious, and fraudulent
22 statement and representation in a matter within the jurisdiction of the executive branch of
23 the Government of the United States.

24 In violation of Title 18, United States Code, Sections 1001(a)(2) and 2.

25 **COUNT 9**

26 On or about August 21, 2013, in an offense begun and committed outside of the
27 jurisdiction of any particular State or district of the United States, the Defendant, ZEINAB
28

1 ABDIRAHMAN MOHAMED, whose last known residence was in the District of Arizona,
2 did knowingly make under oath a false statements with respect to a material fact in an
3 application, a document required by the immigration laws and regulations prescribed
4 thereunder, that is, a Form I-590, Registration for Classification as Refugee, by:

- 5 1. Stating that the name of her spouse was Mustaf Adan Arale which statement the
6 Defendant then and there knew was false, in that her spouse's name was
7 Mohamed Abdirahman Osman; and
- 8 2. Stating that the citizenship/nationality of her spouse was Somalia, which
9 statement the Defendant then and there knew was false, in that the
10 citizenship/nationality of her spouse was Ethiopia;

11 In violation of Title 18, United States Code, Section 1546(a).

12 **COUNT 10**

13 On or about June 30, 2015 at or near Tucson, in the District of Arizona, the
14 Defendant, ZEINAB ABDIRAHMAN MOHAMED, did knowingly make under oath
15 false statements with respect to a material fact in an application, a document required by
16 the immigration laws and regulations prescribed thereunder, that is, a Form I-485
17 Application to Register Permanent Residence or Adjust Status by:

- 18 1. Stating under Part 3 Section B, that the name of her spouse was Mustaf A.
19 Arale, which statement the Defendant then and there knew was false, in that
20 the name of the her spouse is Mohamed Abdirahman Osman; and
- 21 2. Denying under question 9, having ever sought to procure, or procured, a visa,
22 other documentation, entry into the United States, or any immigration benefit,
23 by fraud or willful misrepresentation of a material fact, which statement the
24 Defendant then and there knew was false, in that she had submitted an I-590
25 which contained false information, to wit: stating her husband was Mustaf
26 Adan Arale.

27 In violation of Title 18, United States Code, Section 1546(a).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 11

On or about March 9, 2017, at or near Tucson, in the District of Arizona, the Defendant, ZEINAB ABDIRAHMAN MOHAMED, did knowingly and willfully make materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the executive branch of the Government of the United States, by

1. Informing an Officer with U.S. Citizenship and Immigration Services in Tucson, Arizona, that her spouse's name was Mustaf Adan Arale. The statement and representation was false because, as the Defendant then and there knew, her spouse's name was Mohamed Abdirahman Osman;
2. Informing an Officer with U.S. Citizenship and Immigration Services in Tucson, Arizona that she had never provided false information or lied to an immigration official. The statement and representation was false because, as the Defendant then and there knew, she had previously submitted a Form I-590 and a Form I-485 which contained materially false statements, including that the name of her spouse was Mustaf Adan Arale; and

//

//

//

//

//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. Informing an Officer with U.S. Citizenship and Immigration Services in Tucson, Arizona, details regarding how her spouse sustained injuries while in the Bakara Market. The statements and representations were false because, as the Defendant then and there knew, her spouse sustained his injuries by handling explosives.

In violation of 18 United States Code, Section 1001(a)(2).

A TRUE BILL

/s/

Presiding Juror

ELIZABETH A. STRANGE
First Assistant United States Attorney
District of Arizona

/s/

Beverly K. Anderson,
Assistant U.S. Attorney
Dated: August 8, 2018

**REDACTED FOR
PUBLIC DISCLOSURE**