

AO91 (Rev. 5/85) Criminal Complaint

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

UNITED STATES DISTRICT COURT

APR 28 2009

DISTRICT OF

JOHN F. CORCORAN, CLERK
BY: [Signature]
DEPUTY CLERK

UNITED STATES OF AMERICA
V.
Mohamed Hussein Guhad

CRIMINAL COMPLAINT

Case Number: 709m233

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 6, 2009 in Roanoke county, in the Western District of Virginia defendant(s) did, (Track Statutory Language of Offense)

knowingly conspire and attempt to unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away and hold for ransom or reward a person

in violation of Title 18 United States Code, Section(s) 1201

I further state that I am a(n) Special Agent of the FBI and that this complaint is based on the
Official Title

following facts:

See attached Affidavit

Continued on the attached sheet and made a part hereof: Yes No

[Signature]
Signature of Complainant

Sworn to before me and subscribed in my presence,

4/28/09
Date

at Roanoke
City and State

Sam Wilson, District Judge
Name and Title of Judicial Officer

[Signature]
Signature of Judicial Officer

Affidavit in Support of a Complaint
for an Arrest Warrant
for Mohamed Hussein Guhad

WESTERN DISTRICT OF VIRGINIA

ROANOKE, VIRGINIA

AFFIDAVIT

Scott H. Mayne, Special Agent (SA) of the Federal Bureau of Investigation (FBI),
Richmond Division, Roanoke Resident Agency, being duly sworn, depose, and state:

I am a duly sworn Special Agent of the FBI, having been so employed since October of 2007. As a federal agent, your affiant is authorized to investigate violations of laws of the United States and is a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

Your affiant has set forth only those facts that he believes are necessary to establish probable cause to believe that there has been a violation of Title 18, U.S.C., §1201. Where statements of others are set forth in this affidavit, they are set forth in substance and in part. In support of an application for an arrest warrant, I make the following statement and affirm its contents to be true to the best of my knowledge:

INTRODUCTION

1. I am involved in an investigation pertaining to Mohamed Hussein Guhad. The statements in this affidavit are based in part on information provided by investigators from another federal and local law enforcement agency, in addition to my own experience and

background as a Special Agent of the Federal Bureau of Investigation (FBI).

2. The investigation is presently being conducted by three agencies: the Roanoke County Police Department, the Roanoke Division of the United States Bureau of the Alcohol Tobacco Firearms and Explosives (ATF) and the FBI.

3. This information pertains to Mohamed Hussein Guhad's conspiracy and attempt to unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away and hold for ransom an individual.

4. I have set forth the facts below that I believe are necessary to establish that probable cause exists that Mohamed Hussein Guhad violated Title 18, USC Section 1201.

SUMMARY OF INVESTIGATION

5. On Monday April 6, 2009, Officer Szewczyk of the Roanoke County Police Department was dispatched to a Roanoke address for a breaking and entering in progress. Once on the scene, Officer Szewczyk made contact with the victim (Victim #1).

6. Victim #1 advised that she had been out of the house for the majority of the day running errands. She arrived home around 11:30 am and received a phone call at 11:44 am from telephone number (540)-342-9025. This telephone number returns to a pay phone in Vinton.

7. Victim #1 advised that she believed the caller to be a black male, and advised that the caller was asking for her husband. Victim #1 advised the caller that her husband was not home.

8. At approximately 2:50 pm victim heard a knock on her front door. She partially opened the door, bracing her foot against the door. She observed a young black male with acne wearing a red and blue shirt. Victim #1 advised that the male began to ask her something about

a Red Cross survey. Victim #1 inquired further into what the man wanted.

9. At that time, Victim #1 observed the male glancing to his side, as if accompanied by another, and she immediately began to shut the door.

10. A second black male stepped out and Victim #1 believes that it was that second male who then lunged towards the door placing his arm inside the residence. Victim #1 closed the door on his arm, threw her weight against the door, and began screaming for her husband.

11. The black male was able to get his arm out of the door and Victim #1 advised that she saw both males running towards a black car that was parked at the intersection of Trelawny Trail and Sugar Rum Ridge Road. The car was pointed towards Grubb Road. The males entered the vehicle and drove off.

12. When Officer Szewczyk spoke with Victim #1 at the scene, she advised that she was one hundred percent sure that she would recognize the male wearing the red and blue shirt; the male who had done the talking at the door. Victim #1 advised Officer Szewczyk on the scene that she believed the backpack was dark colored and possibly black.

13. Victim #1 advised the officer that the subject had a slight accent but that she was unable to determine what the accent was. In the altercation, Victim #1 sustained an injury to her right hand.

14. Victim #1 was escorted by Officer Szewczyk to Roanoke County Police Officer Musser's location. Officer Musser, had stopped a vehicle matching the description given by Victim #1 and another witness. The vehicle had three occupants: Mohammed Hussein Guhad, Luke Musa Elbino and Joshua Kasongo. Victim #1 positively identified the male in the red and blue shirt. That individual was Mohamed Hussein Guhad as noted in paragraph 17.

15. Officer Szewczyk then returned to Victim #1's house where she observed smudge

marks that she identified as being consistent with someone having their arm pushed against the outside of the door.

16. Officer Musser was the individual who had stopped the vehicle containing Mohamed Hussein Guhad, Luke Musa Elbino and Joshua Kasongo. After being dispatched on a priority call on said date, Officer Musser observed an older dark colored four door car make a right turn from Merriman Road onto Starkey Road. Officer Musser observed that the vehicle appeared to make the turn very quickly and observed that there were three (3) black males in the vehicle and there appeared to be a considerable amount of movement in the vehicle.

17. Officer Musser executed a traffic stop on the car which was a black Lincoln four door, Virginia license # JTB-8854. The driver of the vehicle was identified as Josh Kasongo who was wearing a dark blue short sleeve dress shirt with a tie. There were two passengers in the car, Luke Elbino who was wearing a light blue dress shirt, and Mohamed Guhad who was wearing a red and blue plaid shirt, blue jeans and a tie.

18. According to Roanoke County Police Department, Virginia license plate JTB-8854 is registered to Musa Deng, who is Elbino's father.

19. While approaching the vehicle, Officer Musser observed a black backpack on the backseat of the driver's side of the vehicle.

20. Officer Musser observed that there was another vehicle in the area that had pulled over as well. The officer spoke to the driver of that vehicle ("Driver") who advised the officer that he had been following the vehicle. Driver advised that earlier he had observed two black males in neat clothes approaching Victim #1's house. (Driver is Victim #1's neighbor.) Shortly thereafter, he observed the two males running down the road near his house and advised that one of the males was carrying a backpack.

21. Driver advised the officer that he believed that he had observed the vehicle that

the officer had just stopped parked in the area of his address, and had observed the two black males get into the vehicle as it was rolling away. He was worried about suspicious activity and began following the vehicle.

22. Though Driver was not able to get the license plate number or the make and model of the car, he believed that the car that the officer stopped was the car that he had observed. Driver #1 recognized the dull black paint.

23. Officer Musser had all of the passengers exit the vehicle. Officer Musser found a large bulge in each of Guhad's front pockets. The officer asked Guhad what the bulge was and Guhad advised that it was gloves. Officer Musser pulled the gloves out of Guhad's pocket and asked why Guhad had gloves. Guhad advised that he was outside earlier when it was cold, and said that he wore the gloves to keep his hands warm. The officer found the statement to be odd because Guhad was wearing a short sleeve shirt.

24. Officer Musser asked where Guhad was coming from and Guhad indicated that he was coming from Bent Mountain. Upon further inquiry, Guhad advised that they were just driving around and then rhetorically asked whether Bent Mountain was near Brambleton Avenue. Guhad advised that he was heading somewhere to play basketball.

25. Guhad was advised by Officer Musser that he had stopped the vehicle because it matched the description of the suspect vehicle; Guhad advised that Victim #1 had made this up because there were black males in a white neighborhood.

26. On the scene, the three suspects all denied that they had said that they were conducting a Red Cross survey.

27. Officer Musser searched the vehicle and found the following items:

- A daisy BB handgun with a black lower receiver and a chrome upper receiver in the glove compartment;


- A tire iron approximately one (1) foot long under the front passenger seat;
- A black back pack on the driver's side rear seat;
- Two sets of metal handcuffs (not law enforcement issue) under the back pack, one in a package with keys and the other not contained in a package;
- Two packages of new poly rope;
- One pair of large binoculars;
- ~~Three brown cotton gloves on the back seat.~~

28. The three males were transported to the Roanoke County/Salem Jail. While waiting for the magistrate, Guhad advised that he would like to speak to Detective Dave Flynn of the Roanoke County Police. After warrants were served on all three subjects, each one was interviewed individually by Detective Flynn and Officer Szewczyk after receiving their Miranda rights.

29. Elbino and Kasongo both advised that they were going to the residence because a friend told them that a person at the residence would be able to give them a job. Elbino stated that Guhad was the subject who placed his arm in the door and advised that things got out of hand and he ran back to the car. Elbino and Kasongo both claimed to be looking for jobs all day, going to Walmart and other businesses. At some point, someone called the victim's husband's workplace where they were told that he was out of town.

30. Elbino was asked by the officers why they would go to the residence in question to get a job, especially if they had been told that the person they were looking for was out of town, and Elbino was unable to give a reasonable answer.

31. Guhad denied going to any other businesses looking for jobs and advised that the three were just driving around all day. Guhad admitted that he was "50/50" on going into Victim #1's house. He advised that the person who he went to the door with was the person who tried to

GUHAD 

force himself into the house - it was not him. Victim advised that he told Victim #1 that he was conducting a Red Cross survey, but advised officers that he did not have anything to do with the Red Cross and was simply making conversation with Victim #1.

32. Guhad admitted carrying a bookbag to the front door. Guhad also knew the company that Victim #1's husband worked for.

33. Roanoke County has a confidential human source (CHS) who spoke to Guhad after the aforementioned incident during the period of Guhad's incarceration.

34. Guhad told CHS that Kasongo, Elbino and himself intended to kidnap the woman, but when she closed the door on them and yelled, they got scared and ran. Guhad advised CHS that they knew Victim #1's husband was a dentist who owned/operated six or seven dentist offices in the area and therefore had a lot of money. Guhad advised that they knew the schedule and when he would be gone, and also knew that he was a board member at the Red Cross.

35. The CHS spoke to law enforcement about Guhad talking about handcuffs, rope and duct tape that were in the vehicle with the three men when they were stopped.

36. Guhad told the CHS that he and some others had kidnaped a wife in Ohio and held her at a stash house while they waited for her husband to pay a ransom. Guhad advised that they had asked for \$50,000 dollars but had ultimately received \$35,000 and released the woman.

37. Guhad further explained to the CHS that they did a lot of research on the victims prior to the planned kidnaping and that they had already picked out their next target. Guhad advised that they were going to kidnap the wife of the owner of a local business. (Victim #2) Guhad advised the CHS that the owner of the local business has a wife and two kids, and that they planned to sneak in under the garage door before it closed and push the lady into her own van to kidnap her while her husband was gone.

38. Upon obtaining information related to an alleged Victim #2, Task Force Officer Betsy Hook, from the ATF's Roanoke Task Force, began to corroborate the information relating to Victim #2. She ultimately determined the address where the family lived and traveled to that address to have a conversation with the family. TFO Hook noticed that the family had a Honda Odyssey van parked in their garage.

39. TFO Hook also contacted Roanoke County dispatch to run the license plate of the vehicle that had been stopped on April 6, 2009. The license plate number is VA # JTB-8854. TFO Hook determined that Roanoke County had received a suspicious vehicle call on March 26, 2009 involving the same vehicle on the same road where Victim #2 currently resides. Officer Szewczyk responded to that call on March 26, 2009 and encountered both Elbino and Guhad in the vehicle on a laptop computer.

40. The suspicious vehicle call had come from a neighbor of the family who was the target of the second alleged abduction. When TFO Hook spoke to Victim #2, she advised that the same vehicle had been on their street either a day or two days before the police were called. The specific date was later determined through conversation to be March 25, 2009. Victim #2 advised that the vehicle sat on the dead end side of their street on March 25 and then moved to the Peregrine Crest side of the street on March 26 when they contacted police.

41. A Toshiba laptop SN# 29220075Q was recovered by the Roanoke County Police Department from the suspect vehicle stopped on April 6, 2009. Elbino claimed possession of the computer. Pursuant to a search warrant, SA Jonathan Blais of the ATF conducted a preliminary computer forensic examination of the recovered machine.

42. Preliminary examination by SA Jonathan Blais revealed that on April 6, 2009, a search for Victim #1's husband had been conducted on the recovered computer using whitepages.com. This information was retrieved from the "temporary internet files" folder

contained in Elbino's computer profile. The search revealed Victim #1's husband's employment information and his home address and telephone number.

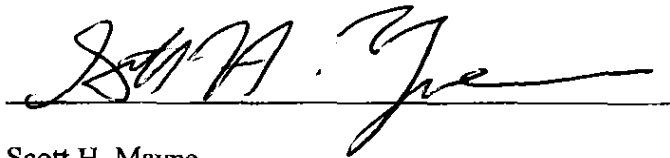
43. Additionally, evidence retrieved from the computer's "System Volume Information" folder and "temporary internet files" folder suggests that between March 23, 2009 and April 6, 2009 there were numerous internet searches conducted relevant to Victim #1 and Victim #2 on whitepages.com and numerous files consistent with "Mapquest" searches in the area of both victims' addresses.

44. The computer forensic examination also revealed that Roanoke County GIS had been accessed on the computer to look up Victim #1 and Victim #2's addresses.

45. Additionally, SA Blais was able to determine through his analysis that Victim #2's husband's corporate website was accessed on the computer. Victim #2's husband was listed as a corporate officer on that website.

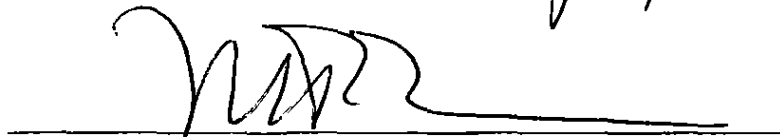
Conclusion

46. Based on the facts and circumstances set forth above, your affiant respectfully submits that there is probable cause to believe that Mohamed Hussein Guhad did knowingly conspire and attempt to unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away and hold for ransom or reward a person in violation of Title 18 Section 1201 of the United States Criminal Code.



Scott H. Mayne
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 29^R day of April, 2009



The Honorable ~~James C. Turk~~ Michael F Urbanstki
United States ~~District Court~~ Judge
Magistrate