

**FILED**

2010 MAY -5 PM 5:28

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature]  
DEPUTY CLERK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

AHMED MUHAMMED DHAKANE,  
a/k/a ABDI GALL,  
a/k/a ABDIFATAH MOHAMED,  
DHAKHANE,  
a/k/a WILLIAMS MARK,  
a/k/a MARK WILLIAMS,  
a/k/a AHMAN MOHAMMED  
DHAKHANE,  
a/k/a TSA WANE DHAKHANE,  
a/k/a ABDIGAL,  
a/k/a ALI WARSAME,  
a/k/a AWIL JAMA,  
a/k/a ABDIFATAH MOHAMED,

Defendant.

§ CRIMINAL NO. SA-10-CR-194(XR)  
§  
§ SUPERSEDING INDICTMENT  
§

§ [Violations: 18 U.S.C. § 1546(a), False  
§ Statement in Regard to Immigration  
§ Matter - Counts 1-3.]  
§

THE GRAND JURY CHARGES:

COUNT 1  
[18 U.S.C. § 1546(a)]

On or about October 28, 2008, in the Western District of Texas, the defendant,

AHMED MUHAMMED DHAKANE,  
a/k/a ABDI GALL,  
a/k/a ABDIFATAH MOHAMED DHAKHANE,  
a/k/a WILLIAMS MARK,  
a/k/a MARK WILLIAMS,  
a/k/a AHMAN MOHAMMED DHAKHANE,  
a/k/a TSA WANE DHAKHANE,  
a/k/a ABDIGAL,  
a/k/a ALI WARSAME,  
a/k/a AWIL JAMA,  
a/k/a ABDIFATAH MOHAMED,

did knowingly make under oath and subscribe as true under penalty of perjury under 28 U.S.C. § 1746 a false statement with respect to a material fact in an Application for Asylum and for Withholding of Removal, Form I-589, Part B, Question 3.A., that is, the Defendant, when asked

Have you or your family members ever belonged to or associated with any organizations or groups in your home country, such as, but not limited to, a political party, student group, labor union, religious organizations, military or paramilitary group, civil patrol, guerilla organization, ethnic group, human rights group, or the press or media?

falsely omitted that, from on or about, prior to September 11, 2001, the exact date unknown, to on or about January 2003, the defendant was a member or was associated with al-Barakat, an organization that the defendant knew was named as a Specially Designated Global Terrorist (SDGT) on November 11, 2001, by the United States Treasury department pursuant to Executive Order 13224, and the defendant was a member or associated with Al-Ittihad Al-Islami (AIAI) an organization that the defendant knew was named as a Specially Designated Global Terrorist (SDGT) on September 23, 2001, by the United States Treasury department pursuant to Executive Order 13224, which statement the defendant then and there knew was false.

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

**COUNT 2**  
**[18 U.S.C. § 1546(a)]**

On or about October 28, 2008, in the Western District of Texas, the defendant,

**AHMED MUHAMMED DHAKANE,**  
**a/k/a ABDI GALL,**  
**a/k/a ABDIFATAH MOHAMED DHAKHANE,**  
**a/k/a WILLIAMS MARK,**  
**a/k/a MARK WILLIAMS,**  
**a/k/a AHMAN MOHAMMED DHAKHANE,**  
**a/k/a TSA WANE DHAKHANE,**  
**a/k/a ABDIGAL,**  
**a/k/a ALI WARSAME,**  
**a/k/a AWIL JAMA,**  
**a/k/a ABDIFATAH MOHAMED,**

did knowingly make under oath and subscribe as true under penalty of perjury under 28 U.S.C. § 1746 a false statement with respect to a material fact in an Application for Asylum and for Withholding of Removal, Form I-589, Part C, Question 2.A., that is, the Defendant falsely claimed with respect to his entry into the United States that:

My wife and I traveled from Somalia through Dubai to Russia by air. After about one week in Russia, we flew to Cuba, where we remained for about nine days. From Cuba traveled through Costa Rica to Guatemala. We remained in Guatemala for about ten days. We then took a bus to the Mexican border, where a smuggler took us into Mexico.

which statement the defendant then and there knew was false, in that, from on or about June 2006 until his entry into the United States after leaving Brazil in March 2008, the Defendant had resided in Brazil and participated in and later ran a large-scale smuggling enterprise out of Brazil where most of his clientele consisted of East Africans attempting to get into the United States and which enterprise smuggled hundreds of people from Brazil into the United States, including smuggling or attempting to smuggle several AIAI-affiliated Somalis into the United States, and

the Defendant gave the false statement of his entry into the United States because he believed that his residence in Brazil and the aforementioned smuggling activities would have disqualified him from receiving asylum in the United States.

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

**COUNT 3**  
**[18 U.S.C. § 1546(a)]**

On or about October 28, 2008, in the Western District of Texas, the defendant,

**AHMED MUHAMMED DHAKANE,**  
**a/k/a ABDI GALL,**  
**a/k/a ABDIFATAH MOHAMED DHAKHANE,**  
**a/k/a WILLIAMS MARK,**  
**a/k/a MARK WILLIAMS,**  
**a/k/a AHMAN MOHAMMED DHAKHANE,**  
**a/k/a TSA WANE DHAKHANE,**  
**a/k/a ABDIGAL,**  
**a/k/a ALI WARSAME,**  
**a/k/a AWIL JAMA,**  
**a/k/a ABDIFATAH MOHAMED,**

did knowingly make under oath and subscribe as true under penalty of perjury under 28 U.S.C. § 1746 a false statement with respect to a material fact in an Application for Asylum and for Withholding of Removal, Form I-589, Part A, Question II., that is, the Defendant, falsely claimed that the minor female he was traveling with, L.O.A., was his wife and that they had been married in Mogadishu, Somalia, when in fact, L.O.A. was a smuggling client of the **Defendant's** who first met the **Defendant** in Brazil and has never been married to the **Defendant**, and whom the **Defendant** repeatedly raped and impregnated prior to coming to the United States, and whom the **Defendant** threatened to have murdered if L.O.A. told the United States authorities about the rapes or that the **Defendant** was not her husband.

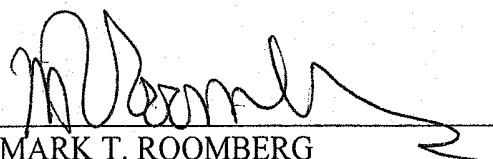
In violation of Title 18, United States Code, Section 1546(a).

A TRUE BILL.

  
FOREPERSON OF THE GRAND JURY

JOHN E. MURPHY  
United States Attorney

By:

  
MARK T. ROOMBERG  
Assistant United States Attorney