

COPY

Approved: ERIC SNYDER/DAVID S. LEIBOWITZ
Assistant United States Attorney

Before: HONORABLE LISA M. SMITH
United States Magistrate Judge
Southern District of New York

09 May 1237

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UNITED STATES OF AMERICA	:	SEALED
	:	<u>COMPLAINT</u>
-v.-	:	Violation of
JAMES CROMITIE,	:	18 U.S.C. §§
a/k/a "Abdul Rahman,"	:	2332a and 2332g
a/k/a "Abdul Rehman,"	:	
DAVID WILLIAMS,	:	County of Offense:
a/k/a "Daoud,"	:	Bronx
a/k/a "DL,"	:	
ONTA WILLIAMS,	:	
a/k/a "Hamza," and	:	
LAGUERRE PAYEN,	:	
a/k/a "Amin,"	:	
a/k/a "Almondo,"	:	
Defendants.	:	

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SOUTHERN DISTRICT OF NEW YORK, ss.:

ROBERT FULLER, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

COUNT ONE: CONSPIRACY TO USE WEAPONS OF MASS DESTRUCTION WITHIN THE UNITED STATES

1. From at least in or about June 2008, up to and including in or about May 2009, in the Southern District of New York and elsewhere, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, at least one of whom traveled in and caused another to travel in interstate commerce in furtherance of the offense, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate and agree together and with each other to use a weapon of mass destruction, to wit, a surface-to-air guided missile system and an improvised

explosive device ("IED") containing over 30 pounds of Composition 4 ("C-4") military grade plastic explosive material against persons and property within the United States.

2. It was a part and an object of the conspiracy that JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, and others known and unknown, agreed to use: (1) a surface-to-air missile system to destroy military aircraft at the New York Air National Guard Base located at Stewart Airport in Newburgh, New York (the "Air National Guard Base")¹; and (2) an improvised explosive device ("IED") containing over 30 pounds of Composition 4 ("C-4") military grade plastic explosive material to destroy a synagogue in the Riverdale Section of the Bronx, in violation of Title 18, United States Code, Section 2332a.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. On or about April 10, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," the defendant, photographed several synagogues and Jewish community centers in the Bronx and elsewhere for consideration as possible targets in a planned terrorist bombing operation.

b. On or about April 23, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendants, met with a cooperating

¹ Stewart International Airport is a commercial airport located in Newburgh, New York, which is also used by the New York Air National Guard and United States Air Force. On the military side of the airport there are several U.S. Air Force C-5, C-17 and C-130 cargo aircraft which are used to transport military supplies and personnel to the U.S. Armed Forces in Iraq and Afghanistan.

witness² ("the CW") who is working with the Federal Bureau of Investigation (the "FBI") and discussed the details of two planned terrorist attacks including: (1) a plot to use a surface-to-air guided missile system to destroy military aircraft located at the Air National Guard;^{base} and (2) a plot to use IEDs containing C-4 plastic explosive material to destroy synagogues in the Riverdale Section of the Bronx, New York. (These two planned terrorist operations will hereinafter be referred to collectively as "the Terrorist Operations.")

c. On or about April 23, 2009, DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendant, placed a phone call to a gun supplier to purchase handguns for use in the Terrorist Operations.

d. On or about April 24, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendants, traveled with the CW to an area immediately adjacent to the Air National Guard Base to select a location from which they could shoot at the military aircraft using a surface-to-air guided missile system.

e. On or about April 24, 2009, DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendant, photographed the airfield and military aircraft at the Air National Guard Base.

f. On or about April 28, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," and LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, met with the CW at a house in Newburgh, New York and further planned the Terrorist Operations.

g. On or about May 1, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, met with the CW and went to a telecommunications store in Newburgh, New York, and purchased four cellphones for the Terrorist Operations.

² In or about 2002, the CW pleaded guilty, pursuant to a cooperation agreement with a United States Attorney's Office for a district other than the Southern District of New York, to, inter alia, violating Title 18, United States Code, Section 1028, based on his/her participation in a criminal fraud scheme. He/she was sentenced to five years' probation.

h. On or about May 6, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, traveled to a warehouse in Connecticut with the CW to obtain what the defendants believed to be a surface-to-air guided missile system and three IEDs containing C-4 explosive material and transported these devices back to Newburgh, New York, for use in the Terrorist Operations.

i. On or about May 8, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, traveled with the CW to a storage facility in Newburgh, New York, to allow ONTA WILLIAMS to examine the surface-to-air, guided missile system. The defendants then brought one of the IEDs to a house in Newburgh, New York where they discussed with the CW how to detonate the IED via a remote device and further discussed the logistics of the Terrorist Operations.

(Title 18, United States Code, Sections 2332a(a)(2)(C).)

COUNT TWO: CONSPIRACY TO ACQUIRE AND USE ANTI-AIRCRAFT MISSILES

4. From at least in or about June 2008, up to and including in or about May 2009, in the Southern District of New York and elsewhere, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, and others known and unknown, in an offense occurring in and affecting interstate commerce, unlawfully and knowingly did combine, conspire, confederate and agree together and with each other to produce, construct, otherwise acquire, transfer directly and indirectly, receive, possess, import, and use (1) an explosive and incendiary rocket and missile that is guided by a system designed to enable the rocket and missile to seek and proceed toward energy radiated and reflected from an aircraft and toward an image locating an aircraft, and otherwise direct and guide the rocket and missile to an aircraft; (2) a device designed and intended to launch and guide said rocket and missile; and (3) a part and combination of parts designed and redesigned for use in assembling and fabricating said rocket, missile, and device.

5. It was a part and an object of the conspiracy that JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the

defendants, and others known and unknown, agreed to acquire and use a surface-to-air missile system to destroy military aircraft located at the Air National Guard Base, in violation of Title 18, United States Code, Section 2332g.

Overt Acts

6. In furtherance of the conspiracy and to effect the illegal object thereof, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, and others known and unknown, committed the overt acts set forth in Count One of this Complaint, which are fully incorporated by reference herein.

(Title 18, United States Code, Sections 2332g(a)(1), (b)(1), (b)(5).)

The bases for my knowledge and the foregoing charges are, in part, as follows:

7. I have served as a Special Agent of the FBI for approximately nine years. Since in or about July 2001, I have served on the Joint Terrorism Task Force ("JTTF") in the FBI's New York Field Office. The JTTF is a task force primarily comprised of Special Agents of the FBI, ICE, and the IRS, Deputy United States Marshals, as well as New York State Police troopers and detectives of the New York City Police Department ("NYPD") who have been sworn as Special Federal Officers. Our principal responsibility is to investigate terrorism offenses and terrorist threats in the United States. I have learned some of the facts contained in this Complaint from my personal participation in this investigation, my discussions with law enforcement agents, my discussions with other individuals and my review of video and audio recordings of meetings involving the defendants. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include each and every fact that I have learned during the course of this investigation. Further, any statements related herein are related in substance and in part only, unless otherwise indicated.

Background

8. During the course of this investigation, I and other FBI agents and JTTF agents with whom I work, met with and extensively debriefed the CW, who has been cooperating with the FBI for over six years. The information provided by the CW during the course of this and other investigations has proven to

be accurate and reliable and has been corroborated by other evidence.

9. In June 2008, the CW met JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," the defendant, at Masjid al-Ikhlās, a mosque in Newburgh, New York. CROMITIE explained to the CW that his parents lived in Afghanistan prior to his birth and that, because of his connection to Afghanistan, he was upset about the war there. CROMITIE was unhappy that many Muslim people were being killed in Afghanistan and Pakistan by the United States Military forces. CROMITIE expressed interest in returning to Afghanistan and spoke to the CW about how if he, CROMITIE, were to die a martyr, he would go to "paradise." CROMITIE also expressed an interest in doing "something to America."

10. On July 3, 2008, the CW met JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," the defendant, in Newburgh, New York. During this meeting, CROMITIE and the CW discussed the organization Jaish-e-Mohammed, a terrorist organization based in Pakistan³ with which the CW claimed to CROMITIE to be involved. CROMITIE stated to the CW that he, CROMITIE, would be interested in joining Jaish-e-Mohammed to "do jihad."

11. Beginning in October 2008, the CW began meeting with JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," the defendant, at a house in Newburgh, New York ("the Newburgh House") that I and other agents and personnel of the FBI and the JTTF equipped with concealed video and audio equipment used to monitor (and record) both this meeting and additional meetings described below between and among CROMITIE, DAVID WILLIAMS, ONTA WILLIAMS, PAYEN the CW⁴ and others. During these recorded meetings, CROMITIE, DAVID WILLIAMS, ONTA WILLIAMS, and PAYEN discussed with the CW CROMITIE's desire to attack certain targets in New York including: (1) a synagogue in the Bronx; and (2) military aircraft located at the Air National Guard Base in Newburgh, New York.

12. From November 28, 2008 through November 30, 2008,

³On December 24, 2001, Jaish-e-Mohammed was designated by the United States Department of State as a Foreign Terrorist Organization. It remains so designated.

⁴Beginning on October 19, 2008, the meetings at the Newburgh House were both audio and video recorded. Meetings at the Newburgh House were not recorded prior to October 19, 2008.

JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," the defendant, traveled with the CW to Philadelphia, Pennsylvania, to attend a meeting of the Muslim Alliance of North America. During this November 28, 2008 trip to Philadelphia, CROMITIE discussed with the CW which targets CROMITIE thought were the best to attack in New York. Specifically, CROMITIE stated, "the best target [the World Trade Center] was hit already."⁵ Later in that same conversation, in a reference to a terrorist attack on a synagogue, CROMITIE stated, "I hate those motherfuckers, those fucking Jewish bastards. . . . I would like to get [destroy] a synagogue."

The December 2008 Meetings

13. In a recorded meeting between JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," the defendant, and the CW at the Newburgh House on December 5, 2008, CROMITIE asked the CW to supply CROMITIE with surface-to-air missiles or "rockets" and explosives or "devices" for the planned operations. The CW informed CROMITIE that the CW would be able to provide CROMITIE with C-4 plastic explosive material from an associate based in Hartford, Connecticut. During that same meeting, CROMITIE discussed with the CW the need to assign code words for weapons and explosives so that they could discuss the operation and avoid possible detection by law enforcement.

14. In a meeting on December 17, 2008, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," the defendant, had another meeting with the CW at the Newburgh House. CROMITIE discussed with the CW his intention to conduct surveillance of the Air National Guard Base. In response to the CW's question

⁵Below, and in subsequent paragraphs, I have set forth excerpts of certain communications recorded during this investigation with the consent of the CW, as well as excerpts of telephone communications that were intercepted pursuant to court authorization. I have included within certain excerpts in brackets my interpretations of coded language, shorthand and contextual meaning used by the speakers during the recorded conversations. My interpretations are based on my experience and training, my participation in this investigation, my discussions with the CW who was a party to many of these conversations, my discussions with agents performing the wire surveillance on the cellphone that was intercepted, and my review of other recorded conversations and calls. In places where the particular recording was unintelligible, I have so indicated, in brackets, with the abbreviation "U/I."

about when CROMITIE wanted to conduct the surveillance, CROMITIE stated he wanted to go the following Friday after attending prayer at the mosque. CROMITIE also stated that he would not wear traditional Muslim clothing so as to avoid detection by law enforcement. CROMITIE then provided to the CW various code words that he and the CW would use in future conversations when they spoke about the Terrorist Operations.

The April 10, 2009 Surveillance of Synagogues in the Bronx

15. On or about April 10, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendants, traveled with the CW to a Walmart store in Newburgh, New York, where CROMITIE purchased a digital camera for use in photographing synagogues and a Jewish community center that they planned to bomb using IEDs. After purchasing this camera, CROMITIE, DAVID WILLIAMS and the CW drove to the Bronx, New York, where CROMITIE photographed several synagogues and a Jewish Community Center. In a reference to one of the Jewish community centers, located in the Riverdale Section of the Bronx, CROMITIE explained that bombing this community center would be a "piece of cake." During this pre-operation surveillance, DAVID WILLIAMS suggested that they refer to the synagogues using the codeword "joints," and CROMITIE and the CW agreed. Also during this surveillance, CROMITIE pointed to people walking on the street in the vicinity of a Jewish Community Center and said that if he had a gun, he would shoot each one in the head.

The April 23, 2009 Meeting at the Newburgh House

16. In a recorded meeting that occurred at the Newburgh House on April 23, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendants, discussed with the CW the Terrorist Operations. During this meeting, CROMITIE and DAVID WILLIAMS specifically discussed with the CW:

- (a) using a surface-to-air guided missile system to destroy military aircraft at the Air National Guard Base and IEDs to attack a synagogue;
- (b) the use of codewords for these operations;
- (c) the need to travel to a location in Connecticut to pick up the guided missile system and the IEDs;
- (d) the logistical details and the timing of these

operations so as to be able to accomplish both attacks in the same day;

- (e) the respective responsibilities that each of them would assume during the attacks;
- (f) the need to purchase new cellphones to be used to communicate with one another on the day when they executed the Terrorist Operations⁶; and
- (g) obtaining several handguns for use during the Terrorist Operations.

During this meeting, DAVID WILLIAMS placed a call to an unknown female gun supplier ("the Female Gun Supplier") in Newburgh, New York, and arranged to meet with her later on April 23, 2009.

The April 24, 2009 Surveillance at the Air National Guard Base

17. In a recorded meeting that occurred the following day, April 24, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," and DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendants, drove with the CW around the area just outside the perimeter of the Air National Guard Base in search of a location from which they could shoot at military planes using the surface-to-air guided missile that the CW said he had obtained from Jaish-e-Mohammed. During this meeting, DAVID WILLIAMS suggested the location, and used a digital camera to photograph the airfield and the military planes from this vantage point.

18. On April 24, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," and DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendants, engaged in a telephone conversation in which they discussed the Terrorist Operation. During this conversation, DAVID WILLIAMS instructed CROMITIE to call the CW to report that DAVID WILLIAMS had located the handguns for the Terrorist Operations.

19. On April 25, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," and DAVID WILLIAMS, a/k/a "Daoud,"

⁶ Subsequently, on May 1, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," LAGUERRE PAYEN, a/k/a "Amin," a/k/a, "Almondo," ONTA WILLIAMS, a/k/a "Hamza," the defendants, and the CW went to a cellphone store in Newburgh, New York, and purchased four new cellphones for the Terrorist Operations.

a/k/a "DL," the defendants, engaged in a telephone conversation in which DAVID WILLIAMS instructed CROMITIE to call the CW to report that he, DAVID WILLIAMS, had recruited another person who was willing to participate in the Terrorist Operations.

20. In a recorded meeting that occurred on April 28, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," and DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendants, drove with the CW to the Heights section of Newburgh, New York, where CROMITIE and DAVID WILLIAMS tried to purchase several handguns for the Terrorist Operations from the Female Gun Supplier. During this meeting:

- (a) DAVID WILLIAMS learned from the Female Gun Supplier that she had sold the guns to another buyer, and DAVID WILLIAMS attempted to contact numerous other potential gun suppliers;
- (b) DAVID WILLIAMS instructed the CW to pick up ONTA WILLIAMS, a/k/a "Hamza," the defendant, at ONTA WILLIAMS' work place. After ONTA WILLIAMS entered the vehicle, DAVID WILLIAMS, CROMITIE and ONTA WILLIAMS traveled with the CW to a telecommunications store in Newburgh to look at cellphones to purchase for use in the Terrorist Operations;
- (c) DAVID WILLIAMS asked ONTA WILLIAMS to attempt to purchase guns for the Terrorist Operations. ONTA WILLIAMS made several calls but was unsuccessful; and
- (d) DAVID WILLIAMS then succeeded in contacting a gun supplier who was willing to sell handguns to DAVID WILLIAMS. DAVID WILLIAMS arranged to meet this new gun supplier in Brooklyn on Thursday, April 30, 2009.

21. Later on April 28, 2009, in a recorded meeting that occurred at the Newburgh House, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," and DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," ONTA WILLIAMS, a/k/a "Hamza," the defendants, discussed with the CW the details of the Terrorist Operations and confirmed that each of the co-conspirators present was willing to participate in the operations for "jihad" and to support Jaish-e-Mohammed. During that discussion, ONTA WILLIAMS stated, in substance, "they [the United States military] are killing Muslim brothers and sisters

in Muslim countries so, if we kill them here [in the United States] with IEDs and Stingers, it is equal." DAVID WILLIAMS added that if Jews were killed in the planned terrorist operations, "it does not matter."

The April 30, 2009 Gun Purchase

22. On Friday, April 30, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," and DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," the defendants, traveled with the CW to Brooklyn, New York, and purchased one 9-millimeter semiautomatic handgun for the Terrorist Operations.

The May 6, 2009 Trip to Connecticut

23. On or about May 6, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," and LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, drove with the CW toward Stamford, Connecticut to obtain what the defendants were told would be a surface-to-air guided missile system and three IEDs containing C-4 plastic explosive material. The defendants had previously discussed with the CW their intention to transport these devices back to Newburgh, New York for use in the Terrorist Operations. During this trip to Connecticut, the following events occurred:

- (a) As the defendants and the CW approached the Connecticut border, ONTA WILLIAMS stated that he believed they were being followed by law enforcement;
- (b) the defendants and the CW decided to return to Newburgh, New York, where ONTA WILLIAMS got out of the vehicle;
- (c) CROMITIE, DAVID WILLIAMS, and PAYEN then drove with the CW around Newburgh attempting to determine if law enforcement was still following them;
- (d) CROMITIE, DAVID WILLIAMS, and PAYEN drove with the CW to a warehouse in Stamford, Connecticut to retrieve the missile system and the IEDs;
- (e) while at the warehouse, CROMITIE, DAVID WILLIAMS and PAYEN inspected the missile system and the IEDs with the CW and discussed how to operate the

devices⁷;

- (f) CROMITIE, DAVID WILLIAMS, PAYEN and the CW tested one of the detonator devices for the IEDs using the cellphone that was included with and programmed for use in detonating the IEDs;
- (g) CROMITIE, DAVID WILLIAMS, PAYEN, and the CW, transported the missile system and the IEDs back to the Newburgh, New York, area where they transferred these weapons to a storage container. After they locked the weapons in this storage container, the three defendants celebrated their achievement shouting "Allah Akbar," an arabic phrase which means, 'praise be to God.'

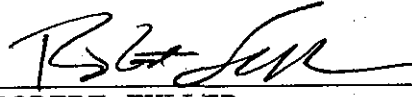
The meetings at both the Stamford warehouse and the Newburgh area storage container were audio and video recorded.

The May 8, 2009 Inspection of the Weapons

24. On or about May 8, 2009, JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," and LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, met with the CW at a storage facility in Newburgh, New York, to allow ONTA WILLIAMS to inspect the missile system and the IEDs and to learn how to operate the devices. CROMITIE, DAVID WILLIAMS, ONTA WILLIAMS and PAYEN then met with the CW at the Newburgh House to further discuss the logistics of the operation.

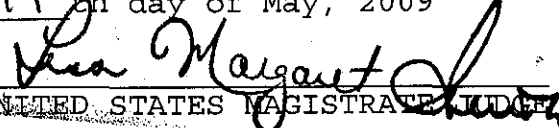
⁷The CW provided the defendants with a Stinger surface-to-air guided missile (which was not capable of being fired) and three IEDs which each contained over 30 pounds of inert C-4 plastic explosives. Although the CW informed the defendants that he had obtained these weapons from Jaish-e-Mohammed, in reality, the FBI provided them to the CW.

WHEREFORE, deponent respectfully requests that warrants issue for the arrest of JAMES CROMITIE, a/k/a "Abdul Rahman," a/k/a "Abdul Rehman," DAVID WILLIAMS, a/k/a "Daoud," a/k/a "DL," ONTA WILLIAMS, a/k/a "Hamza," LAGUERRE PAYEN, a/k/a "Amin," a/k/a "Almondo," the defendants, and that they be arrested, and imprisoned or bailed, as the case may be.



ROBERT FULLER
Special Agent
Federal Bureau of Investigation

Sworn to before me this
19 th day of May, 2009



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK