

**United States District Court**

DISTRICT OF COLORADO

**UNITED STATES OF AMERICA**

v.

**ANWAR NASSER AULAQI**

a/k/a Anwar Nasser Abdulla Aulaqi

**WARRANT FOR ARREST**

CASE NUMBER: *02-1146m*

To: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Anwar Nasswer Aulaqi  
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment  Information  Complaint  Order of court  Violation Notice  Probation Violation Petition

charging him or her with (brief description of offense)

False statement and application and use of passport

in violation of Title 18 United States Code, Section(s) 1542

**MICHAEL J. WATANABE**  
U.S. MAGISTRATE JUDGE

**MICHAEL J. WATANABE**  
U.S. MAGISTRATE JUDGE

Name of Issuing Officer

Title of Issuing Officer

*Michael J. Watanabe*

*June 17, 2012 AT 10:25 A.M.*  
Denver, Colorado

Signature of Issuing Officer

Date and Location

BAIL FIXED AT \$ \_\_\_\_\_

by \_\_\_\_\_  
Name of Judicial Officer

**RETURN**

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

**United States District Court**

**DISTRICT OF COLORADO**

**UNITED STATES OF AMERICA**

v.

**ANWAR NASSER AULAQI  
a/k/a Anwar Nasser Abdulla Aulaqi**

**CRIMINAL COMPLAINT**

**CASE NUMBER: 02-1146m**

(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 November 18, 1993, in \_\_\_\_\_ County, in the \_\_\_\_\_ District of Colorado defendant(s) did, (Track Statutory Language of Offense)

See Attachment 1 attached hereto and herein incorporated by reference

in violation of Title 18 United States Code, Section(s) 1542 further state that I am a(n) Special Agent - U.S. Department of State and that this complaint is based on the following facts:

Official Title

See Attachment 2 attached hereto and herein incorporated by reference

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

See Affidavit attached hereto and herein incorporated by reference

St R Click 06/17/2002

Signature of Complainant - Steven R. Click - USDS

Sworn to before me, and subscribed in my presence

June 17, 2002 At 10:25 A.M.  
Date at \_\_\_\_\_

Denver, Colorado  
City and State

MICHAEL J. WATANABE  
U.S. MAGISTRATE JUDGE

Name and Title of Judicial Officer

[Signature]  
Signature of Judicial Officer

**ATTACHMENT 1**

**COUNT 1**

The United States Attorney charges that:

On or about November 18, 1993, in the State and District of Colorado, ANWAR NASSER AULAQI, a/k/a Anwar Nasser Abdulla Aulaqi, defendant herein, willfully, knowingly and unlawfully made a false statement in an application for passport with intent to induce and secure the issuance of a passport under the authority of the United States for his own use contrary to the laws regulating the issuance of passports and the rules prescribed pursuant to such laws, to wit: ANWAR NASSER AULAQI, a/k/a Anwar Nasser Abdulla Aulaqi, filled out and presented a form DSP-11, Application for United States Passport, falsely and fraudulently and knowingly using a Social Security number (521-77-7121) that he had obtained by fraud, all in violation of Title 18, United States Code, Section 1542.

## AFFIDAVIT OF PROBABLE CAUSE

I, Steven R Click, being duly sworn, hereby depose and state as follows:

I am a Special Agent of the United States Department of State (USDOS), Diplomatic Security Service (DS), assigned to the Resident Office in Denver, Colorado. I have been trained in the investigation of passport fraud and have been employed with the USDOS since 1990. During the performance of my duties, I have obtained evidence that Anwar Nasser AULAQI, a.k.a. Anwar Nasser Abdulla AULAQI made false statements in an application for a passport (U.S.), a violation of Title 18, United States Code, Section 1542.

Affiant bases this affidavit on the following information developed by a credible law enforcement source, Raymond J. Fournier, Special Agent with the DS and USDOS, assigned to the San Diego Resident Office, San Diego, California who has been so employed for sixteen years and has investigated numerous violations concerning passport fraud.

1. The information is made in support of a complaint against Anwar Nasser AULAQI, a.k.a. Anwar Nasser Abdulla AULAQI for violation of Title 18, United States Code, Section 1542.
2. On June 5, 1990, Anwar AULAQI, born April 21, 1971, entered the United States through Port of Entry Chicago per U.S. Immigration and Naturalization Service (USINS) records, admission No. 88012673001. The USINS record indicates that the Subject entered the U.S. using Yemen passport No. G-1336365 containing J1 Exchange Visitor visa (non-immigrant visa) issued at American Embassy Sana'a (Yemen).
3. On June 6, 1990, Anwar Nasser AULAQI claiming to be born April 21, 1971, in Sana'a, Yemen executed an SS-5, Application for a Social Security Card Number signing the document "AULAQP" under the following warning: "Deliberately furnishing false information on this application is a crime punishable by fine or imprisonment or both." Item number 3 of the form pertaining to the applicant's citizenship indicates that HE is a "Legal Alien Allowed to Work." The form indicates that the Subject provided passport, No. G1226365 containing I-94, Admission No. 88012673001 as evidence of HIS Yemeni citizenship, and identity.
4. On June 8, 1990, the Social Security Administration issued SSN 521-77-7121 to Anwar Nasser AULAQI, born April 21, 1971, in Sana'a, Yemen, per Social Security Administration Mainframe records.

5. On November 18, 1993, Anwar Nasser AULAQI claiming to be born April 21, 1971 in Las Cruces, New Mexico executed a passport application (DSP-11) at the Fort Collins Post Office, Fort Collins, Colorado. For proof of citizenship the Subject presented State of New Mexico Certificate of Birth, 1382371 reflecting the name Anwar Nasser Abdulla AULAQI, born April 22, 1971 in Las Cruces, New Mexico. The Subject provided his Social Security Number as 521-77-7121 beside the following notice: "See Federal Tax Law Notice on Reverse Side." AULAQI indicated on his DSP-11 that HE had previously been issued an U.S. passport #Z6281365 on 01/13/1988.
6. The reverse side of the DSP-11, Application for a passport, indicates that passport applicants are required to provide their name and social security number consistent with Title 26, U.S.C., Section 6039E (Internal Revenue Code), and that the Department of State must provide this information to the Internal Revenue Service routinely.
7. The form is signed "AULAQI" under the following jurat before a person authorized to accept passport applications: "I solemnly swear (or affirm) that the statement made on this application are true and photograph attached is a true likeness of me."
8. Anwar AULAQI applied for the passport on November 18, 1993 using a social security number (521-77-7121) that he had obtained by fraud. His use of this number violates the terms and conditions as stated on a DSP-11, application for a passport and constitutes fraud.

Based on the aforementioned information, I believe there is probable cause that Anwar Nasser AULAQI a.k.a. Anwar Nasser Abdulla AULAQI is in violation of Title 18, United States Code, Section 1542, "False statement in application and use of passport" in that HE willfully and knowingly made false statements in an application for a passport by using a social security number obtained through false statements, with the intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or for the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws.

*Steven R. Click* 06/12/2002  
 Steven R. Click, Special Agent  
 Diplomatic Security Service  
 U.S. Department of State

Sworn to and subscribed before me this 17<sup>th</sup> day of 2002 At 10:25 A.m.  
*Michael J. Watanabe*  
 United States Magistrate Judge

MICHAEL J. WATANABE  
 U.S. MAGISTRATE JUDGE

**DATE:** June 17, 2002

**DEFENDANT:** ANWAR NASSER AULAQI  
a/k/a Anwar Nasser Abdulla Aulaqi

**AGE:** 31 years old DOB: 04/21/71

**ADDRESS:** Unknown

**OFFENSE:** **COUNT 1:** Title 18, United States Code, Section 1542  
False statement and application and use of passport

**LOCATION OF OFFENSE:** Colorado

**PENALTY:** **COUNT 1:**  
NMT 10 years imprisonment, NMT \$250,000.00 fine or both;  
\$100.00 Special Assessment; NMT 3 years supervised release

**AGENT:** STEVEN R. CLICK  
Special Agent - U.S. Department of State  
Diplomatic Security Service

**AUTHORIZED BY:** JOSEPH MACKEY  
Assistant U.S. Attorney

**ESTIMATED TIME OF TRIAL:**

five days or less

over five days

other

**THE GOVERNMENT**

will seek detention in this case

will not seek detention in this case

The statutory presumption of detention is or is not applicable to this defendant. (Circle one)

**OCDEF CASE:**  Yes  No

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

FILED  
U.S. DISTRICT COURT  
DISTRICT OF COLORADO  
2002 OCT -9 AM 10:23  
JAMES R. MANSPEAKER  
CLERK

Criminal Case No. 02-1146M

UNITED STATES OF AMERICA,

Plaintiff,

BY \_\_\_\_\_ DEP. CLK

v.

1. ANWAR NASSER AULAQI,  
a/k/a Anwar Nasser Abdulla Aulaqi,

Defendant.

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**GOVERNMENT'S MOTION TO DISMISS COMPLAINT  
AND VACATE ARREST WARRANT**

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The United States of America, by and through John W. Suthers, United States Attorney for the District of Colorado and Joseph Mackey, Assistant United States Attorney, respectfully requests this Honorable Court dismiss the Criminal Complaint and vacate the Arrest Warrant in the above-captioned case and states that the interests of justice would best be served by dismissal of this complaint.

WHEREFORE, the Government respectfully requests that the Criminal Complaint be dismissed and the arrest warrant be vacated.

Respectfully submitted,

JOHN W. SUTHERS  
United States Attorney

*JOSEPH MACK*  
By: JOSEPH MACKKEY  
Assistant U.S. Attorney  
1225 Seventeenth Street, Suite 700  
Denver, Colorado 80202  
(303) 454-0100

REC'D OCT - 9 2002

*Mackey*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

*02-1146 m*

Criminal Case No. 01-1146-M

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. ANWAR NASSER AULAQI,  
a/k/a Anwar Nasser Abdulla Aulaqi,

Defendant.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

**OCT 11 2002**  
**JAMES R. MANSPEAKER**  
**CLERK**

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**ORDER**

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Upon consideration of the Government's Motion, it is  
ORDERED that the Criminal Complaint in the above-captioned case is dismissed  
and the arrest warrant vacated.

DATED this 10<sup>th</sup> day of October, 2002.

BY THE COURT:

*Byrd N. Byrd*

UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT  
DISTRICT OF COLORADO



UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Date: October 11, 2002

Case Number: 01-1146M

CERTIFICATE OF MAILING

The undersigned hereby certifies that on the above date a copy of the Order signed by Magistrate Judge Boyd N. Boland was duly mailed to the persons listed below:

Joseph Mackey  
Assistant United States Attorney

Federal Probation

Pretrial Services

U.S. Marshal

JAMES R. MANSPEAKER, CLERK

By:



Kathy Triplett Deputy Clerk