

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED:

NOOR UTHMAN MUHAMMED

2. ALIASES OF ACCUSED:

a/k/a Akrama al Sudani, Abu al Hareth, Farouq al Kamari, Ikrima, Zamir Muhammed, Hakim Khodaydad

3. ISN NUMBER OF ACCUSED (LAST FOUR):

707

II. CHARGES AND SPECIFICATIONS

4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.

SPECIFICATION:

SEE CONTINUATION SHEET, ATTACHED.

III. SWEARING OF CHARGES

5a. NAME OF ACCUSER (LAST, FIRST, MI)

Lockhart, Andrea

5b. GRADE

O-4

5c. ORGANIZATION OF ACCUSER

OMC-PROSECUTION

5d. SIGNATURE OF ACCUSER



5e. DATE (YYYYMMDD)

20080819

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 19 day of August 2008, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

Ellington, John

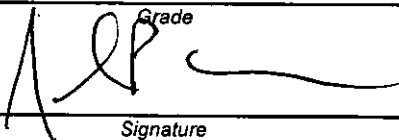
Typed Name of Officer

OMC-PROSECUTION

Organization of Officer

O-5

Grade



Signature

10 U.S.C. 1044(b)

*Official Capacity to Administer Oath
(See R.M.C. 307(b) must be commissioned officer)*

IV. NOTICE TO THE ACCUSED

6. On _____, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

*Typed Name and Grade of Person Who Caused
Accused to Be Notified of Charges*

OMC-PROSECUTION
*Organization of the Person Who Caused
Accused to Be Notified of Charges*

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1145 hours, on 19 August 2008 at Arlington, VA

Location

For the Convening Authority: Donna L. Wilkins
Typed Name of Officer

GS-15
Grade


Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY	8b. PLACE	8c. DATE (YYYYMMDD)

Referred for trial to the (non)capital military commission convened by military commission convening order _____

_____ subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

Charge Sheet Continuation Page in Case of NOOR UTHMAN MUHAMMED

CHARGE I: Violation 10 U.S.C. section 950v(b)(28). Conspiracy

Specification: In that NOOR UTHMAN MUHAMMED, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various locations in Afghanistan and elsewhere, from August 1996 through March 2002, conspire and agree with Abu Khebab, and others, known and unknown, including members of al Qaeda to commit one or more substantive offenses triable by military commission, including but not limited to, murder of a protected person or persons, attacking civilians, attacking civilian objects, intentionally causing serious bodily injury, murder in violation of the law of war, destruction of property in violation of the law of war, providing material support to an international terrorist organization and terrorism, knowing the unlawful purpose of the agreement and joining willfully with the intent to further said unlawful purpose, and in order to accomplish some objective and purpose of the agreement, NOOR UTHMAN MUHAMMED knowingly committed at least one of the following overt acts:

- a. After completing training at Khaldan terrorist training camp, Afghanistan, Noor Uthman Muhammed became a weapons instructor at the Khaldan terrorist training camp. Between 1996 and approximately 2000, Muhammed instructed numerous terrorist trainees on small arms and artillery.
- b. From 1996 to approximately 2000, Muhammed served on the Khaldan terrorist training camp *shura* council and served as the Khaldan camp deputy *emir* or commander.
- c. In 1999, Muhammed delivered an electronic communication device to the al Qaeda training camp, Jihad Wal.
- d. On 19 February 1999, Muhammed wrote and sent a letter to Abu Khebab recommending two Tajik trainees for additional terrorist training in poison manufacturing.
- e. On 13 April 1999, Muhammed wrote and sent a letter to Abu Khebab recommending Osayed al Yemeni for additional training at another terrorist training camp.

- f. From 1996 to approximately 2000, Muhammed, in his capacity as the deputy *emir* of Khaldan training camp, oversaw the operation of the camp including training on the functions and operation of various small arms and artillery.
- g. In June 2000, Muhammed attended a meeting of al Qaeda leaders in Wazir Akbar Khan, Kabul House. There, Muhammed received instructions to reduce operations at and ultimately close the Khaldan terrorist training camp.
- h. On or about March 28, 2002, Muhammed, along with several al Qaeda members and terrorist trainees, attempted to escape from a safehouse in Faisalabad, Pakistan, after a raid by local authorities, but was captured during his attempt.

CHARGE II: Violation of 10 U.S.C. section 950v(b)(25), Providing Material Support for Terrorism

Specification: In that Noor Uthman Muhammed, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various locations in Afghanistan, and elsewhere, between August 1996 and March 2002, in the context of or associated with an armed conflict, intentionally provide material support to al Qaeda, an international terrorist organization engaged in hostilities against the United States, knowing that such organization has engaged or engages in terrorism, by performing at least one of the following acts:

- a. After completing training at Khaldan terrorist training camp, Afghanistan, Noor Uthman Muhammed became a weapons instructor at the Khaldan terrorist training camp. Between 1996 and approximately 2000, Muhammed instructed numerous terrorist trainees on small arms and artillery.
- b. From 1996 to approximately 2000, Muhammed served on the Khaldan terrorist training camp *shura* council and served as the Khaldan camp deputy *emir* or commander.
- c. In 1999, Muhammed delivered an electronic communication device to the al Qaeda training camp, Jihad Wal.
- d. On 19 February 1999, Muhammed wrote and sent a letter to Abu Khebab recommending two Tajik trainees for additional terrorist training in poison manufacturing.

- e. On 13 April 1999, Muhammed wrote and sent a letter to Abu Khebab recommending Osayed al Yemeni for additional training at another terrorist training camp.
- f. From 1996 to approximately 2000, Muhammed, in his capacity as the deputy *emir* of Khaldan training camp, oversaw the operation of the camp including training on the functions and operation various small arms and artillery.
- g. In June 2000, Muhammed attended a meeting of al Qaeda leaders in Wazir Akbar Khan, Kabul House. There, Muhammed received instructions to reduce operations at and ultimately close the Khaldan terrorist training camp.
- h. On or about March 28, 2002, Muhammed, along with several al Qaeda members and terrorist trainees, attempted to escape from a safehouse in Faisalabad, Pakistan, after a raid by local authorities, but was captured during his attempt.