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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

April 2021 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON FONG,
aka "asian_ghazi,"
aka "Jason Asian Ghazi,"
aka "Mustafa Ahmed Al-Hakim,"

Defendant.

No. 8:20-CR-146(A)-DOC

F I R S T
S U P E R S E D I N G
I N D I C T M E N T

[18 U.S.C. § 2339B(a)(1):
Attempting to Provide Material
Support to a Foreign Terrorist
Organization; 18 U.S.C.
§ 981(a)(1)(G) and 28 U.S.C.
§ 2461(c): Criminal Forfeiture]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 2339B(a)(1)]

On or about March 17, 2020, in Orange County, within the Central District of California, and elsewhere, defendant JASON FONG, also known as ("aka") "asian_ghazi," aka "Jason Asian Ghazi," and aka "Mustafa Ahmed Al_Hakim," a national of the United States, knowingly attempted to provide material support and resources as the term is defined in Title 18, United States Code, Section 2339A(b)(1), namely, services, including compiling, archiving, and providing tactical,

1 combat, and weapons training materials and information regarding the
2 making of chemical weapons and improvised explosive devices, to
3 Hay'at Tahrir al-Sham, which at all relevant times was designated by
4 the Secretary of State as a foreign terrorist organization, knowing
5 that Hay'at Tahrir al-Sham had been designated as a foreign terrorist
6 organization, and knowing that Hay'at Tahrir al-Sham had engaged in,
7 and was engaging in, terrorist activity and terrorism.

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COUNT TWO

[18 U.S.C. § 2339B(a)(1)]

On or about April 1, 2020, in Orange County, within the Central District of California, and elsewhere, defendant JASON FONG, also known as ("aka") "asian_ghazi," aka "Jason Asian Ghazi," and aka "Mustafa Ahmed Al_Hakim," a national of the United States, knowingly attempted to provide material support and resources as the term is defined in Title 18, United States Code, Section 2339A(b)(1), namely, services, including compiling, archiving, and providing tactical, combat, and weapons training materials and information regarding the making of chemical weapons and improvised explosive devices, to Hay'at Tahrir al-Sham, which at all relevant times was designated by the Secretary of State as a foreign terrorist organization, knowing that Hay'at Tahrir al-Sham had been designated as a foreign terrorist organization, and knowing that Hay'at Tahrir al-Sham had engaged in, and was engaging in, terrorist activity and terrorism.

COUNT THREE

[18 U.S.C. § 2339B(a)(1)]

On or about May 7, 2020, in Orange County, within the Central District of California, and elsewhere, defendant JASON FONG, also known as ("aka") "asian_ghazi," aka "Jason Asian Ghazi," and aka "Mustafa Ahmed Al_Hakim," a national of the United States, knowingly attempted to provide material support and resources as the term is defined in Title 18, United States Code, Section 2339A(b)(1), namely, services, including combat training and information regarding the making of boobytraps and improvised explosive devices to Hay'at Tahrir al-Sham, which at all relevant times was designated by the Secretary of State as a foreign terrorist organization, knowing that Hay'at Tahrir al-Sham had been designated as a foreign terrorist organization, and knowing that Hay'at Tahrir al-Sham had engaged in, and was engaging in, terrorist activity and terrorism.

COUNT FOUR

[18 U.S.C. § 2339B(a)(1)]

On or about May 18, 2020, in Orange County, within the Central District of California, and elsewhere, defendant JASON FONG, also known as ("aka") "asian_ghazi," aka "Jason Asian Ghazi," and aka "Mustafa Ahmed Al_Hakim," a national of the United States, knowingly attempted to provide material support and resources as the term is defined in Title 18, United States Code, Section 2339A(b)(1), namely, services and currency, including fundraising and money, to Hamas, also known as the Al Qassam Brigades ("Hamas"), which at all relevant times was designated by the Secretary of State as a foreign terrorist organization, knowing that Hamas had been designated as a foreign terrorist organization, and knowing that Hamas had engaged in, and was engaging in, terrorist activity and terrorism.

FORFEITURE ALLEGATION

[18 U.S.C. § 981(a)(1)(G) and 28 U.S.C. § 2461(c)]

1 Pursuant to Rule 32.2 of the Federal Rules of Criminal
2 Procedure, notice is hereby given that the United States of America
3 will seek forfeiture as part of any sentence, pursuant to Title 18,
4 United States Code, Section 981(a)(1)(G) and Title 28, United States
5 Code, Section 2461(c), in the event of defendant's conviction of the
6 offenses set forth in any of Counts One through Four of this
7 Indictment.
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10 2. The defendant, if so convicted, shall forfeit to the United
11 States of America the following:

12 (a) All right, title, and interest in all of defendant's
13 assets, foreign or domestic;

14 (b) All right, title and interest in any assets, foreign
15 or domestic, affording defendant a source of influence over any
16 entity or organization engaged in planning or perpetrating any
17 Federal crime of terrorism against the United States, citizens or
18 residents of the United States, or their property;

19 (c) All right, title, and interest in any asset, foreign
20 or domestic, acquired or maintained by defendant with the intent and
21 for the purpose of supporting, planning, conducting, or concealing
22 any Federal crime of terrorism against the United States, citizens or
23 residents of the United States, or their property;

24 (d) All right, title, and interest in any asset, foreign
25 or domestic, derived from, involved in, or used or intended to be
26 used to commit any Federal crime of terrorism against the United
27 States, citizens or residents of the United States, or their
28 property;

1 (e) To the extent such property is not available for
2 forfeiture, a sum of money equal to the total value of the property
3 described in subparagraphs (a), (b), (c), or (d).

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