

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

vs.

**ANAS SAID,
Defendant**

CRIMINAL NO. 4:24-561

GOVERNMENT’S MEMORANDUM IN SUPPORT OF DETENTION

Pursuant to Title 18, United States Code, Section 3142 concerning release or detention of a defendant pending trial, the Government files this memorandum in support of detention.

INTRODUCTION

The Government respectfully submits that the Defendant, Anas Said, should be detained pending trial on the indictment, in which he is charged with attempting to provide material support and resources to the Islamic State of Iraq and al-Sham (“ISIS”),¹ a designated Foreign Terrorist Organization, in violation of 18 U.S.C. § 2339B. This charge creates a rebuttable presumption of detention—a presumption that the Defendant cannot overcome. As explained more fully below, the evidence shows that there are no conditions or combination of conditions that will (1) reasonably assure the appearance of the Defendant, and (2) guarantee the safety of any other person and the community. Regarding the first factor, the Defendant has repeatedly expressed a desire to

¹ On or about October 15, 2004, the U.S. Secretary of State (“Secretary”) designated al Qaeda in Iraq (“AQI”), then known as Jam’at al Tawhid wa’al-Jihad, as a Foreign Terrorist Organization (“FTO”) under Section 219 of the Immigration and Nationality Act (the “INA”) and as a Specially Designated Global Terrorist (“SDGT”) under section 1(b) of Executive Order 13224. On or about May 15, 2014, the Secretary of State amended the designation of AQI as an FTO under Section 219 of the INA and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant (“ISIL”) as its primary name. The Secretary also added the following aliases to the FTO listing: the Islamic State of Iraq and al-Sham (i.e., “ISIS”—which is how the FTO will be referenced herein), the Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. On September 21, 2015, the Secretary added the following aliases to the FTO and SDGT listings: Islamic State, ISIL, and ISIS. On March 22, 2019, the Secretary added the following aliases to the FTO and SDGT listings: Amaq News Agency, Al Hayat Media Center, Al-Hayat Media Center, and Al Hayat. To date, ISIS remains a designated FTO.

travel abroad to join ISIS and to travel back to Lebanon, has family overseas, and has a valid passport. With respect to the second factor, the Defendant has praised ISIS's use of violence and has expressed a desire to conduct violent attacks in the United States, as well as acknowledged he has issues managing his anger. Accordingly, the Defendant should be detained pending trial.

STANDARD

Section 3142 governs the pretrial release or detention of a person charged with an offense. Upon appearance before a judicial officer, a person charged with an offense may be detained under pursuant to 18 U.S.C. § 3142(e). Subsection (e)(3)(C) of Section 3142 states that, subject to rebuttal by the defendant, "it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that the person committed . . . an offense listed in section 2332b(g)(5)(B) of Title 18, United States Code, for which a maximum term of imprisonment of 10 years or more is prescribed." 18 U.S.C. § 3142(e)(3)(C). The Defendant has been charged with violating 18 U.S.C. § 2339B, which is an offense listed in Section 2332b(g)(5)(B) and is punishable by a sentence of 20 years imprisonment in this case. As the Defendant is charged by indictment, probable cause has been established, and therefore the presumption in this case is for detention. *See United States v. Jackson*, 845 F.2d 1262, 1264 (5th Cir. 1988); *see also Gerstein v. Pugh*, 420 U.S. 103, 117 n.19 (1975) ("[A]n indictment, fair upon its face, and returned by a properly constituted grand jury, conclusively determines the existence of probable cause.") (internal quotation marks omitted).

In determining whether there are conditions of release that will reasonably assure the appearance of the person as required and the safety of any other person and the community, the Court should take into consideration (1) the nature and circumstances of the offense charged,

including whether the offense is a crime of terrorism; (2) the weight of the evidence against the person; (3) the history and characteristics of the person, including the person's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings; and (4) the nature and seriousness of the danger to any person or the community that would be posed by the person's release. 18 U.S.C. § 3142(g).

OVERVIEW OF INVESTIGATION

On or about October 24, 2017, the Federal Bureau of Investigation ("FBI") received a tip that the Defendant had placed an order for two stickers: one containing an image of the Dome of the Rock² with an ISIS flag overlaying the image, and another showing the white silhouette of a man holding a rifle with the caption, "Winning the Islamic Nation." The Defendant was interviewed by the FBI approximately four times in relation to these purchases between January and May of 2018. During an interview conducted on or about January 29, 2018, the Defendant admitted both stickers were meant to show support for ISIS. He claimed that he started believing in ISIS's ideology in about 2015, after returning to the United States from Lebanon, where he and his family had lived until late 2014.

The Defendant claimed he did not support killing by ISIS but admitted visiting ISIS media websites and liking the fact that ISIS was "waking people up." He stated that his focus was to "take Al-Quds³ back" and said he wanted to see the Caliphate⁴ brought back. The Defendant also

²The Dome of the Rock is an Islamic shrine at the center of the Al-Aqsa Mosque compound on the Temple Mount in the Old City of Jerusalem.

³Al-Quds is an Arabic name for Jerusalem.

⁴"Caliphate" is a term often used by ISIS and its supporters to refer to a state governed under Islamic or Sharia law and ruled by a Caliph, a person considered a successor to the Islamic prophet Muhammad and leader of the Muslim world.

expressed an affinity for Abu Muhammad al-Adnani, a former ISIS spokesperson.⁵ The Defendant was interviewed again by FBI on March 28, 2019. During that interview, he claimed that he no longer consumed radical Islamic propaganda and only used the internet for schoolwork and for watching sports.

However, on or about October 18, 2023, pursuant to legal process, FBI received information from Meta Platforms, Inc. (“Meta”) regarding 11 Facebook accounts used by the Defendant that showed he continued to support ISIS and the violent attacks carried out in its name. The investigation continued, and on February 7, 2024, FBI executed search warrants on the Defendant’s person, his residence, vehicle, and electronic devices. FBI interviewed the Defendant, his mother, and his brother separately, who expressed their concerns, as described further below. Subsequent analysis of the Defendant’s electronic devices revealed multiple encrypted messaging applications containing records of his efforts to create and disseminate propaganda that glorified ISIS’s ongoing violence, the evidence underlying the material support offense charged in the indictment.

On November 8, 2024, FBI agents executed the arrest warrant for the Defendant. Agents approached the Defendant and his brother in the parking lot of the Defendant’s apartment complex as they were getting into their vehicle. Agents ordered the Defendant and his brother not to move and get to the ground. While the Defendant’s brother promptly complied with the agents’ commands, the Defendant refused to comply. As the agents directed the Defendant to put his hands up numerous times, he ignored commands, and violently threw an object from his hand to the ground. Continuing to ignore commands, the Defendant once again reached for an object and

⁵ al-Adnani was a Syrian militant leader who was the official spokesperson and a senior leader of ISIS. He was described as the chief of its external operations. He was the second most senior leader of ISIS after its leader Abu Bakr al-Baghdadi. He was killed in an airstrike on August 30, 2016.

appeared to smash it on the ground. Agents later determined this object to be the Defendant's cell phone. The Defendant, who continued to refuse to comply, began walking back towards the apartment complex, appearing to be in a posture to flee. FBI agents took him to the ground before he could run and placed him under arrest.

After being Mirandized and agreeing to speak with agents, the Defendant explained, in great detail, the level and extent of his support for ISIS. In relation to the indicted conduct, the Defendant readily admitted he created, edited, and used various programs and media outlets in order to create ISIS propaganda for the Designer⁶ and ISIS groups. He stated he regularly created these videos and images in order to post them on encrypted chat platforms for a hundred or more ISIS followers. He identified his kunya⁷ and the variations of his kunya that he used as his propaganda signature. He also admitted to viewing and creating and posting videos as recently as the week of his arrest. Additionally, he established an encrypted chat group for ISIS followers as another medium for distributing his propaganda and for translating ISIS propaganda.

When questioned about his attempts to travel to join ISIS, the Defendant admitted that he tried several times to travel to join ISIS and stated he would readily move back to Lebanon if he were released. He also discussed his efforts to commit violence in the United States, including considering purchasing a gun, researching military recruitment facilities, and scouting one specific location on Westheimer Road. Defendant also stated he considered asking military members that he would see near his work if they supported Israel or if they had been deployed to Afghanistan or Iraq and killed Muslims there, and if they said yes, those are the persons he would kill. The Defendant also acknowledged he has anger and control issues and desires to kill and fight for ISIS

⁶ The Designer is further explained *infra* on Page 7.

⁷ Kunya is an Arabic word that refers to a type of epithet or teknonym in an Arabic name. In this context, the Defendant used the kunya of Abu al-Uqab al-Samhari as a nickname in place of his real name.

against all those that support Israel. He admitted that he would be less likely to hurt anyone if he were in prison.

Defendant also discussed researching an unnamed Jewish organization in Houston that supported Israel. He explained to agents that he intended to post a flyer on the door to deter its support of Israel. If the flyer was unsuccessful, he planned to impersonate a donor to meet the head of the organization in order to convince the organization to stop funding Israel. If the head of the organization refused, then the Defendant would assault him/her. The Defendant also discussed researching Jewish related locations, such as synagogues and the Israeli Consulate in Houston, to get an understanding of the location, physical layout, and the security measures in place at these locations.

With consent of the Defendant's mother and brother, the agents searched the residence. In addition to a laptop and two cell phones, agents recovered a thumb drive hidden in a pair of rolled socks in the Defendant's sock drawer. The Defendant admitted he used the thumb drive to store his ISIS propaganda material, the laptop to create the propaganda, and the phones to access the encrypted media application where he posted ISIS propaganda. The Defendant also stated he used at least one of these phones to create ISIS propaganda.

The Defendant's mother and brother were also interviewed separately by FBI agents on November 8, 2024. His mother acknowledged that the Defendant continues to consume ISIS news on his laptop and repeatedly asked the agents if they could release the Defendant so they could return to Lebanon. Defendant's brother likewise told agents that he and the Defendant had just spoken that morning about returning to Lebanon. Further, according to his brother, the Defendant has openly acknowledged that he wants to fight against and kill proponents of Israel, and the

Defendant has discussed purchasing a gun with his brother. The brother described the Defendant as an angry person who regularly has angry outbursts.

CHARGED CONDUCT

The Defendant is charged with attempting to provide material support and resources, namely personnel (himself) and services, to ISIS in relation to his production of pro-ISIS videos and propaganda at the direction of and in coordination with an individual who represented himself to the Defendant as the “number 2” designer for the “Dawlah”⁸ (hereinafter the “Designer”). On December 11, 2023, the Defendant wrote to the Designer via an encrypted messaging application, “Brother, I edited the clip based on your comments. You are the number 1 designer for the Dawlah [Islamic State], right?” The Designer responded, “I am number 2. No worries, we are all one. Send it.” Later, on January 6, 2024, the Defendant asked the Designer for his nickname. The next day, the Designer responded:

You can call me the Dawlawi designer or you can call me as the brother used to before. He used to send his designs for me to modify and because of the many changes, he used to be scared of me so he would call me ‘the nightmare’. So maybe I should call myself ‘the designers’ nightmare’ in the future in the hope that the brothers in the group won’t shun away from me

The Defendant replied, “Your wish is my command, my brother the Dawlah designer. No, you do not deserve the nickname ‘nightmare’ I will call you ‘professor’ because you tolerate my mistakes in designs even though I keep repeating them [laughing face] despite the comments.”

As reflected in this exchange and other records seized from the Defendant’s devices, between December 2023 and February 2024, he created and edited at least five videos and two images that the Defendant then sent to the Designer for wider distribution. Each time, the Designer provided him extensive feedback and instruction and often provided numerous rounds of edits.

⁸ Dawlah is another name for ISIS. “Dawla al Islamiya” is also a designated alias of ISIS.

The Defendant implemented the Designer's changes and frequently commented on the time- and labor-intensive nature of the work.⁹ On at least one occasion, the Designer disseminated a video produced by the Defendant to other ISIS supporters. As explained in more detail below, these pro-ISIS videos and images focused on ISIS's use of violence.

The pro-ISIS videos and images the Defendant created glorified ISIS's violent attacks on its perceived enemies. For example, on or about December 15, 2023, the Defendant sent the Designer an mp4 video file that the Defendant said he also sent to Sarh al-Khilafah Institution, an ISIS media outlet.¹⁰ The Defendant indicated that Sarh al-Khilafah agreed to publish it on their channel after requesting some edits that he implemented. Additional records obtained by the FBI indicate that on or about December 17, 2023, a video with the same file name was further disseminated in a channel on an encrypted media application by another user, believed to be the Designer, who described the video as containing a "new design" by Abu al-Uqab al-Samhari, the Defendant's known kunya. Select screenshots from the Defendant's video depicting ISIS fighters and violence are included below. The captions for the images include preliminary translations by the FBI of the Arabic text in the video.¹¹

⁹ The FBI's review of the "Web History" extracted from one of the Defendant's devices also included numerous searches related to various video and image editing programs, templates, sound and light effects, animations, images, and gifs, which are a kind of image file that showcase brief animations, mainly utilized to produce straightforward, repeating animations.

¹⁰ Sarh al-Khilafah, or "Tower of the Caliphate," is an entity that has used social media platforms to produce content ranging from operational security tips to guides on chemicals and explosives. Some of this content appears to be aimed specifically at potential terrorist recruits living inside Western countries. As stated in an article published by the Combating Terrorism Center at West Point titled "*The Cloud Caliphate: Archiving the Islamic State in Real-Time, 2021*," Sarh al-Khalifah is labeled as an "aggregator for legacy and current Islamic State content online." This article also described the evident linkage between Sarh al-Khalifa and the al-Bayan radio website, which provides live streaming services of ISIS radio content. In addition, according to public reporting, ISIS published a statement on Telegram in November 2022 announcing that "Sarkh al-Khalifa" was absorbing three other ISIS propaganda networks.

¹¹ Multiple statements by the Defendant and conversations detailed in this memorandum occurred in Arabic. In most cases, an FBI Linguist conducted a preliminary translation from Arabic to English, although in other cases, the Arabic to English translation was conducted by Meta.



Upper Left Text: Designed by: Anas (Abu-al-‘Uqab al-Samhari)
Upper Right Emblem: Sarh al-Khilafah
“Glory in us is brewing”



Upper Left Text: Designed by: Anas (Abu-al-‘Uqab al-Samhari)
Upper Right Emblem: Sarh al-Khilafah
The crowd once again glorified our God.



Upper Left Text: Designed by: Anas (Abu-al-'Uqab al-Samhari)

Upper Right Emblem: Sarh al-Khilafah

A bright shining light decorated the heights



Upper Left Text: Designed by: Anas (Abu-al-'Uqab al-Samhari)

Upper Right Emblem: Sarh al-Khilafah

Here is the Caliphate of our religion, so be of good cheer



Upper Right Emblem: Sarh al-Khilafah
It is the law of the Merciful One...the best source.



Upper Left Text: Designed by: Anas (Abu-al-'Uqab al-Samhari)
Upper Right Emblem: Sarh al-Khilafah
Under it every deceitful act of the arrogant dies.



Upper Left Text: Designed by: Anas (Abu-al-‘Uqab al-Samhari)
Upper Right Emblem: Sarh al-Khilafah
And by it all misguided delusions are destroyed.



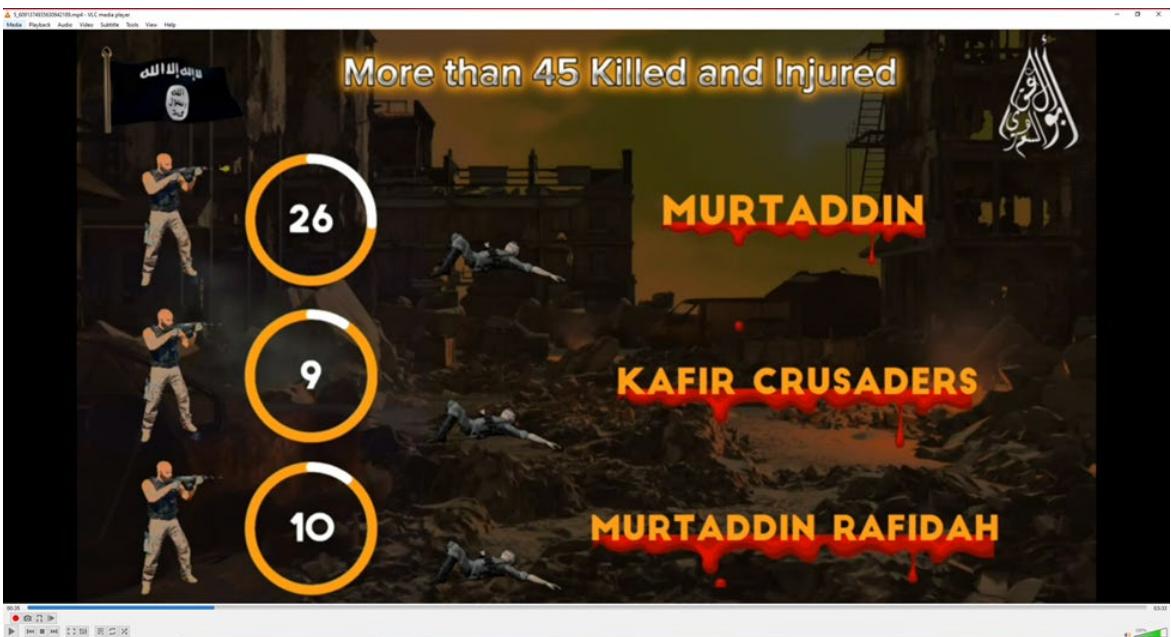
Upper Left Text: Designed by: Anas (Abu-al-‘Uqab al-Samhari)
Upper Right Emblem: Sarh al-Khilafah
And through it, faith will spread throughout our land.

On or about December 31, 2023, the Defendant sent the Designer another mp4 video file the Defendant created celebrating death and destruction caused by ISIS. Screenshots from this video are below, along with captions that include the FBI’s preliminary translations in brackets:



Left upper corner: ISIS Flag

Right upper corner: “Abu al-‘Uqab al-Samhari” (the Defendant’s kunya)



Left upper corner: ISIS Flag

Right upper corner: “Abu al-‘Uqab al-Samhari” (the Defendant’s kunya)

Murtaddin [Apostates]

Kafir [Infidel]

Rafidah [Rejecters]



Left upper corner: ISIS Flag
Right upper corner: "Abu al-'Uqab al-Samhari" (the Defendant's kunya)



Left upper corner: ISIS Flag
Right upper corner: "Abu al-'Uqab al-Samhari" (the Defendant's kunya)

On or about January 6, 2024, the Defendant sent the Designer a message and a jpg picture file explaining that the Defendant had created the design in the file, although the FBI has not yet located this file on the Defendant's devices. On or about January 7, 2024, the Designer replied

with an image (that the FBI has recovered) along with what appeared to be comments on the image that the Defendant had sent:

Look at these elements. Not every one of them needs to appear completely in the design, but you can put them in the front and back to back of each other. This way you will reduce the dimension of the design and make it more professional. That way the logo of the dawlah can be hidden completely behind the design because it is not as important as the title above. Also the world map, it can appear behind the two brothers and in front of it the explosion but with less transparency, it does not need to remain fully visible. Also the pictures of the coffins, you don't have to make them fully visible, but it is enough to show a small part of them where the viewer can understand that they pertain to funerals.

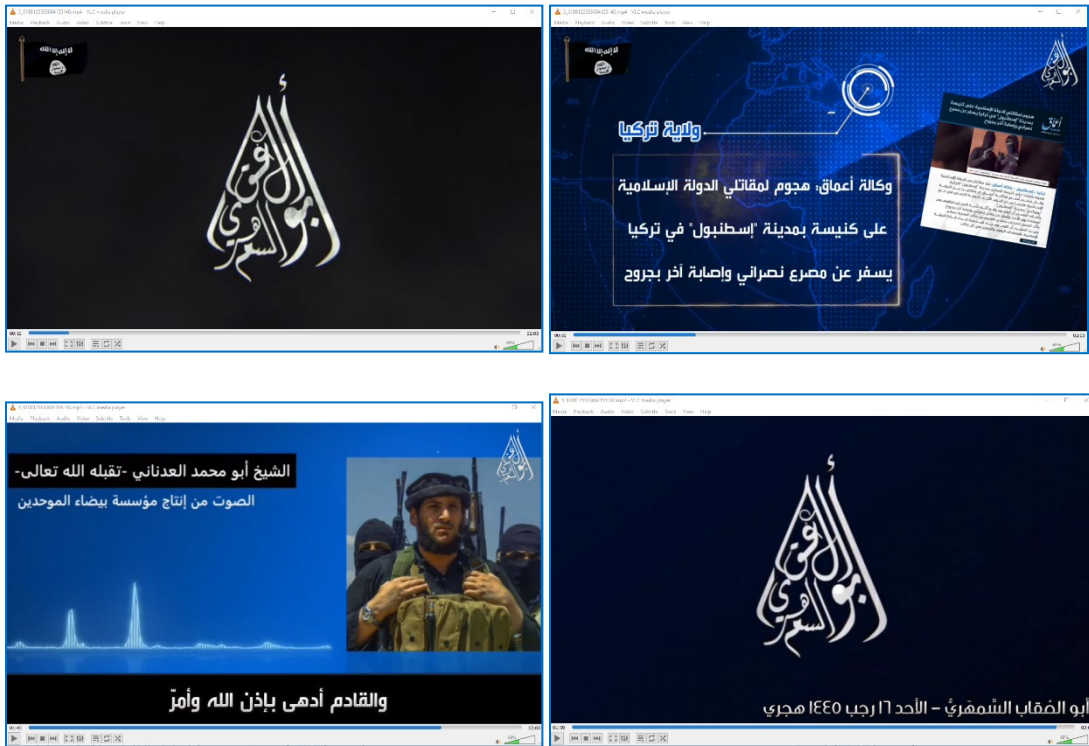


The Defendant and the Designer continued to exchange messages and images as they worked to improve the poster. At one point, the Designer suggested an addition to the poster: “The text on the top needs effects as well ... shining.... blood spots or a line surrounding it, etc.” In response to the Designer’s comments, the Defendant replied with edits as depicted in the following image:



The FBI’s translation of the Arabic text in the image indicates that the header states, “And slay them wherever ye catch them,” the title is “The Blessed Kerman Operation,” and the boxed text in the center of the image references the killing of 300 “polytheist rafidin [rejecters]” in a “dual martyrdom operation in Iran.” This likely refers to the January 3, 2024, ISIS-claimed bombings in Kerman, Iran during the ceremony commemorating former IRGC leader Qasem Soleimani.

Then, on February 1, 2024, the Defendant sent another mp4 video to the Designer. Below are screenshots from the video. FBI translations indicate that one frame of the video references an ISIS attack on a church in Istanbul (likely the January 28, 2024, ISIS attack on a Catholic church in Istanbul), and that the audio and captions include a speech by former ISIS-spokesperson al-Adnani in which he states, “I renew the call to all monotheists in Europe, the infidel West and everywhere, target the crusaders inside their homes and wherever you find them ... whether by an IED, a bullet or a knife, a vehicle, or a rock, or even with a kick or a punch.”



NO REASONABLE ASSURANCE OF APPEARANCE

The Defendant was born in Houston, Texas in 1996. Shortly thereafter, the Defendant traveled to Lebanon with his family and lived there until about September 2014 when he, his mother and brother returned to the United States. The Defendant has extended family that lives in Lebanon, including an uncle whom he is close with. Throughout his post-arrest statement to FBI agents, the Defendant repeatedly stated he would return to Lebanon if given the chance. His mother, likewise, asked agents to release the Defendant so they could return to Lebanon.

Records obtained from Meta for the Defendant’s Facebook accounts also revealed numerous communications in which he expressed his desire to travel internationally to join ISIS forces. For example, on May 28, 2023, the Defendant, using one of his Facebook accounts, sent a message to another Facebook user describing how he would travel to join ISIS, stating, “I will be

happy with a smile on my face. I am not coming to declare jihad alone ... There are many tourists with longer beards than me. I don't know why you are worried? ... how would they know I am a supporter.” As the conversation continued on Facebook that day, the Defendant stated to another user:

My mother will not go travel because she decided never to go to Lebanon. My brother is hesitant because his situation in Lebanon is very difficult ... I told them that after I go to Egypt, I can strive for the sake of Allah... Unfortunately, [my mother] is not a supporter [of ISIS] although I've tried many times with her ... The chances now in Egypt are high because very soon Africa will be Islamic land and if there is a chance to go to Lebanon, are you going to come with me?

On or about July 4, 2023, the Defendant, using Facebook, sent a series of images to another Facebook user which appeared to show conversations on Facebook Messenger in which the Defendant sent requests to approximately five different individuals with the same or similar language: “I have a request. I want to fight for the sake of Allah but I do not know the safe way to do that and I have no one to sponsor me in the Caliphate. Can you help and advise me on what to do. May Allah reward you well.” That same day, he sent another message to a user on Facebook asking about traveling for jihad, stating, “Question. Why don’t we go to Palestine? Things may be hard in other states ... Palestine is the land for jihad ... Just a question. I just want to know ... If fighting for the sake of Allah is hard in the other welayat¹², then Welayet Beit al-Maqdis¹³ is a better option.” Later that same day, he sent a screenshot of a conversation over Facebook Messenger to another Facebook user in which it appears that the Defendant informed the Facebook Messenger user about his U.S. citizenship, to which the other user responded:

That’s Great. I ask that God open doors for you. The citizenship will make things easy for you a lot. You have two options: First to go to a country as a tourist for a while so your name will be registered as a non-terrorist with security and that you are going to spend your summer vacation. Before you travel, choose a place where

¹² A “welayat” or “wilayat” is a province under the governance of ISIS.

¹³ Ansar Bayt al-Maqdis was originally an al-Qaeda affiliate. Around 2014, it pledged its allegiance to ISIS and became known as the ISIS - Sinai, ISIS’s affiliate in the Sinai Peninsula of Egypt.

the brothers perform operations so you can contact them before traveling. Brother, you need to be very careful because of the spies spread everywhere. The other option is to return to Lebanon, wait patiently and look for brothers supporters of the cause in your area. You will find many, don't worry. I am sure they will have trustworthy brothers who will help you. In my opinion, this is a safer and easier solution, Allah willing.

The Defendant responded, "Bless you, brother."

Later, around July 29, 2023, the Defendant wrote in a message with another Facebook user that he had tried many times to make "hijrah" to Iraq or Syria but the "brothers" told him it was not possible. The Defendant indicated that he was instead considering whether making hijrah to Africa would be easier.¹⁴

In separate conversations on October 13, 2023, with an FBI Online Covert Employee (the "OCE"), the Defendant stated that he wanted to leave the United States and would do so, but for the pressure he felt from his mother and brother. During the discussion with the OCE, the Defendant further stated that he attempted to make hijrah many times, but it did not work. Specifically, he wrote that he tried to make hijrah to Africa, but that the "brothers" advised him to wait as there were no safe passages. As an alternative, the Defendant informed the OCE that he then contemplated conducting an attack within the United States. When the OCE asked if the Defendant had found a target, he stated that he had seen many military members in uniform locally and that he possessed a dagger. He further professed his desire to kill three hundred million souls, a number that roughly equates to the entire population of the United States.

In an October 17, 2023, exchange with the OCE, the Defendant praised the operation of Abd al Salam, in an apparent reference to the November 13, 2015, attack by Salah Abdeslam and nine other ISIS members in Paris that killed approximately 130 people and injured hundreds of

¹⁴ "Hijrah" is a term that has historically referred to religious migration, but ISIS supporters use the word "hijrah" to describe traveling to ISIS-controlled areas in order to join ISIS and wage violent jihad.

others. He also referenced the Lebanese bey'ah in 2022, referring to when the Lebanese members of ISIS pledged their loyalty to the new ISIS leader or caliph. The Defendant then stated that he wanted to travel to Lebanon and that the OCE could stay with him in Lebanon.

During his interview on February 7, 2024, with FBI agents, the Defendant stated that he had sought to renew his passport to facilitate his travel overseas to join ISIS. He also admitted to trying to travel to join ISIS on at least two occasions. One instance occurred approximately in the summer of 2022, when he tried to travel to Egypt. He stated that he contacted fellow ISIS supporters online to find a way to travel overseas to join ISIS. He further admitted that the second time he planned to travel to join ISIS was around February 2024. With respect to the second attempt, he stated that "I asked my people how to go over there", and when asked who his people were, the Defendant responded, "the group ... ISIS." Additionally, he admitted he has pledged his allegiance to ISIS every time a new ISIS leader has been declared.

During a separate interview by the FBI on February 7, 2024, the Defendant's younger brother acknowledged he was aware of the Defendant's commitment to ISIS. According to his brother, he and the Defendant were both stressed over not having any employment and that contributed to the Defendant's boredom and overall discontentment. His brother knew about the Defendant's support for ISIS and stated that the Defendant planned to travel to Egypt or Syria and wanted to live in Syria. His brother also expressed his concern that as the younger brother, he should not be the one guiding his older brother.

NO ASSURANCE OF SAFETY TO THE COMMUNITY

In addition to the Defendant's charged conduct and his statements regarding traveling overseas to join ISIS described above, evidence of the Defendant's other online activity spanning

back to at least mid-2023 demonstrates his support for and willingness to engage in violent attacks for or on behalf of ISIS, including within the United States.

For example, on June 5, 2023, the Defendant stated in a communication on Facebook with another user that, “Syria’s Democratic Forces decided to charge our brothers and sisters [in ISIS] detained in their prisons[.] This is a chance for the mujahidin to attack and free the prisoners.”

On July 24, 2023, on one of his Facebook accounts, the Defendant uploaded a video and status in Arabic that translated to, “News about the fight between the Islamic State fighters and PKK¹⁵ that led to the death of one of the PKK’s soldiers.” The video depicted the logo for Amaq News Agency, an official ISIS media outlet and showed the shooting of a member of the PKK by members of ISIS.

On or about the same day, on another Facebook account, the Defendant uploaded a video and status update in Arabic, and stated, “Hasad al-Ajnad news from Damascus, Homs, Nigeria, and other Islamic countries and cities.” This video detailed “Breaking News” regarding a series of ISIS-related attacks in Pakistan, Nigeria, and Syria, namely: (1) that ISIS soldiers assassinated a spy for the Pakistani government in the area of Nashmi, town of Qalat, in Balochistan; (2) that ISIS soldiers attacked a Nigerian army checkpoint in the town of Mava, in area of Berno and the mujahedeen captured three rocket propelled grenades (“RPG”); and (3) that ISIS soldiers detonated an explosive device on a convoy of the Syrian army east of Homs killing five soldiers and wounding 10.

The following week, the Defendant uploaded a video and status in Arabic which translated to, “The Islamic State fighters attack the barrack of the Mozambique Forces in Macomia and seize their weapons.” The video depicted a cache of a variety of weapons, ammunition, and cell phones,

¹⁵ The PKK is the Kurdistan Workers Party. Based on open-source information, the PKK fought against ISIS in Iraq and Syria.

with the ISIS flag displayed in the background. On another Facebook account, he then added a “life experience” to the account, stating (in Arabic), “I am trampling down your positive polytheism laws.” A few days later, on another Facebook account, he uploaded a video and status in Arabic, which translated to “The Islamic State is a source of trouble for the infidels.”

The following month, in August 2023, the Defendant pledged his allegiance to ISIS on Facebook, stating:

Blessings to you, our Sheikh Abu-al-Hasan al-Husayni.¹⁶ You gained what you wanted. I ask that Allah bring us together in His paradise when Allah destines and in obedience to His Messenger and to anger his enemies. We declare our pledge of allegiance to the Emir of all Believers and the Caliph of the Muslims, the mujahid Sheikh Abu Hafs al-Hashimi,¹⁷ may Allah protect him. We pledge to listen and obey in good and evil, in easy times and hard times and not to oppose unless we see blatant kufr [infidelity] with evidence from Allah. We pledge obedience as much as we can. May Allah be our witness and Praise be to Allah.¹⁸

Between August 6 and August 7, 2023, he uploaded two videos to Facebook featuring ISIS. In the first video, the narrator calls for militants of the Islamic State-Yemen Province-to fight and defeat the Houthi insurgents, who are described as apostates and disbelievers, and seize their weapons. The second video contains Arabic text, which translates to “Soldiers of Jund al-Khilafah pledging allegiance to Abu Hafs al-Hashimi al-Qurashi,” the leader of ISIS.

Also on August 7, 2023, the Defendant posted multiple times about ISIS in Arabic to one of his Facebook accounts. Preliminary translations indicated that the posts were “about an attack by the Caliphate soldiers on the apostate Nigerian military” and about “Caliphate soldiers from Yemen and Somalia pledging allegiance to the Emir Abu-Hafs al-Hashimi al-Qurashi.” In

¹⁶ Sheikh Abu-al-Hasan al-Husayni was the leader of ISIS from in or about November 2022 until his death in April 2023. When the Defendant stated, “You gained what you wanted,” it appears he is referring to Sheikh Abu-al-Hasan al-Husayni dying as a martyr.

¹⁷ Sheikh Abu Hafs al-Hashimi was declared the leader of ISIS in August 2023 and is believed to be its current leader.

September 2023, the profile picture for one of the Defendant's Facebook accounts depicted a man holding a sword with an image of the ISIS flag on his back.

On October 9, 2023, the Defendant sent a message to another user on Facebook, stating, "Al-Qassam¹⁹ spokesman said that if the bombing of Gaza continues, the execution of a Jewish prisoner will be filmed live for the whole world to see . . . This is the same method of our brothers in the Islamic State in their publications that publish the liquidation of apostates and infidels."²⁰

FBI's examination of his devices also showed that he used one of his encrypted messaging application accounts to subscribe to and receive news from ISIS-related channels. For example, one message dated on or about January 24, 2024, with four attachments that the FBI has thus far not been able to locate on Said's devices, stated: "Islamic State_Central Africa Wilayah__With success from Allah, yesterday, the Khilafah soldiers attacked the Christian village of Najaiti in the Beni region, and captured and beheaded 6 Christians, and all praise is due to Allah."

Another message recovered from the Defendant's devices, associated with his encrypted messaging application account and dated on January 28, 2024, was accompanied by three attachments (including what may be a file resource²¹) that the FBI has thus far not been able to locate. That message stated:

Islamic State Fighters Attacked a Church in Istanbul City in Türkiye, Killing One Christian and Injuring Another
Amaq Agency - Türkiye - Istanbul: Two Islamic State fighters carried out an armed attack on a Christian church in the Turkish city of Istanbul.
A security source in the Islamic State told Amaq Agency that two fighters Islamic State fighters attacked a Christian church this Sunday morning in the Buyukdir neighborhood of Istanbul.

¹⁹ Based on FBI analysis, it is believed that this reference to Al-Qassam likely refers to Izz-al-Din Al-Qassam Brigades, the military wing of Hamas, a designated FTO.

²⁰ ISIS is known to release footage of executions. For example, ISIS released a one-minute and eleven-second video titled "Another Message to America and its Allies" on October 3, 2014, showing the beheading of British aid worker Alan Henning and introduced another hostage, Peter Edward Kassig, an American aid worker, who was later executed by ISIS.

²¹ A "file resource" is a hyperlink to a file or an extension.

The source added that the attack occurred while Christians were performing their usual Sunday rituals, and resulted in the death of one Christian and the wounding of another.

Also, the source confirmed that the executors withdrew from the scene of the operation safely.

The source explained that the attack came in response to the call of Islamic State leaders to target Jews and Christians everywhere.

Another example is a message sent on January 30, 2024, which was accompanied by four files the FBI has thus far not been able to locate. This message stated:

More than 10 were Killed and Wounded in an Explosion Targeting an Election Gathering for One of the Murtadd Parties in the Balochistan Region

With success from Allah, the Khilafah soldiers targeted a massive election gathering of supporters of the murtadd Pakistan Insaaf Party in Sibi, in the Balochistan region of Pakistan, by detonating a bomb-laden motorcycle, leaving at least 10 of them dead or wounded, and all praise is due to Allah.

The records obtained from Meta for the Facebook accounts attributable to the Defendant also contain numerous other communications in which he has expressed his desire to conduct a violent attack on behalf of ISIS. For instance, on July 4, 2023, he asked another user on Facebook, “Can you give me the green light? I am like anyone who fights for the sake of Allah not for the sake of borders.” On that same day, he sent another Facebook user screenshots which appeared to show a conversation on Facebook Messenger between the Defendant and an account associated with the Al Faris Media Institute, which is a Southeast Asian ISIS media channel. In that message, the Defendant inquired about travelling to fight on behalf of ISIS, stating, “[P]eace be on you brother, how are you? I want to fight for Allah but I do not know a safe way and I do not have a sponsor in the land of the Caliphate. We are brothers in faith. Please advise me on what to do. May Allah reward you well.” The Al Faris Media Institute account responded, “[P]eace be on you too ... There are no battles for the sake of Allah in either Iraq or Syria ... If you really want that, do jihad where you live.”

After receiving that response from the Al Faris Media Institute, his attention turned to domestic attacks in the United States. For instance, on September 5, 2023, he stated to the FBI OCE on Facebook, “Brother, if I was living alone, you would have heard that I conducted an operation like 9/11. But my family is with me and I don’t want to put them in trouble.” The Defendant is known to reside with his mother and brother. About a month later, on October 9, 2023, he stated on Facebook, “If I had weapons, I would have beaten the Jews and Americans in their backyards, but unfortunately, I am prohibited from purchasing a weapons license because of their suspicion of me... I only brought a dagger.” About a week later, he sent a communication on Facebook in which he praised a “Tunisian brother” who “killed three Swedes in Belgium in retaliation for burning the Holy Qur’an.” He stated that the individual was a martyr.²² On that same day and on the same Facebook account, the Defendant followed up with postings about acquiring a firearm. The next day, he posted that, “Inshallah Allah will let us marry in Jannah... It’s time for jihad... bye habibti²³... if Muwahid ask you for marriage please accept I beg you again, bye I will leave forever.”

On October 17, 2023, in the same conversation with the OCE described above, in which the Defendant discussed travelling to Lebanon, he mentioned that some of the “brothers” attempted to enter Texas to kill “Bush,” but that the plot was not successful.²⁴ He offered his home as a guesthouse should the infiltrators attempt their attack again. The Defendant went on to say that

²² On or about October 16, 2023, a Tunisian national, identified by Belgian media outlets as Abdelsalem Lassoued, used an assault rifle to shoot and kill two Swedish nationals and injure a third Swedish national in Brussels, Belgium. Following the attack, the shooter fled and released a video message in which he self-identified as Abdelsalam Al Guilani and stated in Arabic that he is a fighter for Allah and is from the Islamic State. The shooter was later shot dead by police. ISIS claimed responsibility for the attack.

²³ Habibti is an Arabic term which literally translates to my love, my dear, my beloved or my darling.

²⁴ This is an apparent reference to a plot involving Shihab Ahmed Shihab, who was prosecuted in the Southern District of Ohio for engaging in a conspiracy in 2021 to smuggle ISIS associates into the United States in an attempt to assassinate former President George W. Bush. Shihab Ahmed Shihab pleaded guilty to attempting to provide material support and resources to terrorists and was sentenced to 178 months in prison in February 2024.

former president Bush and President Biden were too old, and it would be wasteful to use a bullet on them. The Defendant stated that he wanted to find a better target than Bush and mentioned looking at two military recruiting stations next to his house. He discussed attacking military recruits during physical training, because there are soldiers with them too. He stated that military facilities were “valuable” targets and then discussed learning to make an improvised explosive device or a larger vehicle-borne improvised explosive device that could kill at least 50 people.

On October 26, 2023, in further communications with the FBI OCE, the Defendant discussed, in Arabic, a 40-year-old American soldier” who committed a mass shooting, describing it as “good news.” Based upon the description and timing, it appears that the Defendant was referencing Robert R. Card II of Maine who killed 18 and wounded 13 in a mass shooting attack on October 25, 2023. He stated that the attack resulted in “80 people either dead or injured”,” and when asked if Card was a part of ISIS, the Defendant stated, “Unfortunately, he is not a member of the Dawlah.”²⁵ He then told the OCE, “You know. I asked some brothers. If I join the US Army and stayed with them for a while and then did an operation against them, but they told me it is not possible.” He elaborated by stating, “One must not join the infidels.” The Defendant reiterated, “If it were not for the family, I would have left long ago.” When asked who he lives with, the Defendant stated, “My mother and brother.” He goes on to describe the rest of his family as “all of our family are abroad.”

Not only has the Defendant repeatedly expressed his aspiration to carry out terrorist attacks, but he has also indicated his interest in acquiring the means to do so. Specifically, he has expressed an interest in explosives. For example, on November 7, 2023, he had another written conversation with the OCE in Arabic. As translated, the Defendant stated, “You know, I wish I knew how to

²⁵ An Arabic term for the state. In this context is likely referring to ISIS.

make an explosive belt.” The OCE asked where the Defendant would use such a belt, and he responded “If I did, it would be very easy. I would shave my beard and hair, put on a military uniform for camouflage, and go inside and push the button. Everything will turn into grilled meat.” When the OCE asked how he would get into the training center to conduct such an attack, the Defendant explained, “I will look like them. I’ll change my appearance so as not to attract attention. I will wear a uniform. There are plenty on Amazon. It will work. It doesn’t have to be inside but at the door when they leave. It will work.”

Consistent with these statements reflecting his desire to conduct such an attack, the FBI found additional evidence of the Defendant’s support for ISIS and his interest in explosives on a laptop that appeared to belong to the Defendant seized pursuant to the search warrant executed in February 2024. The FBI’s preliminary examination of his laptop revealed a folder labeled “new nasheeds latest” located under Window user “anas” (the Defendant’s first name). This folder contained nasheeds—chants that in this case appear to be pro-ISIS—and other files geared towards jihadists. For example, several files recovered from this folder depict logos or flags associated with ISIS, Al Hayat Media Center, Islamic State Central Media Office, Sham Wilayah, West Africa Wilayah, and Izz ad-Din al-Qassam Brigades (the military wing of Hamas). The review also revealed several PDFs related to explosives such as:

- Al-Tafjir ‘an Bu’d bistikhdam al-Jawwal.pdf – This file was translated from Arabic as “detonating remotely using mobile phone.”
- C4 Plastic Explosives.pdf – This document appears to contain instructions on how to prepare C4, an explosive.
- Mercury Fulminate.pdf – This document appears to contain instructions on how to prepare mercury fulminate, an explosive.
- TATP Preparation.pdf – This document appears to contain instructions on how to prepare Tri-Acetone Tri-Peroxide, an explosive.

- HMTD.pdf – This document appears to contain instructions on how to prepare hexamethylene triperoxide diamine, an explosive.
- TNT.pdf – This document appears to contain instructions on how to prepare TNT, an explosive.

The file system last accessed date on these documents' properties was listed as on or about January 17, 2024—about two weeks before the FBI seized the device.

Lastly, and most notably, the Defendant and his family admit that he has a tendency for violent behavior. Specifically, during the February 7, 2024, interview with FBI, the Defendant's mother stated that her son was "still stuck" and elaborated by stating "the yea to uh this ISIS. 'Cause he wants, I don't know but he maybe he-he love it their uh thinking...". She went on to state that "he's still convinced that the ISIS beliefs and thoughts are right." She believed that the Defendant thinks violence is the correct way to solve problems. Since the October 7, 2023, Hamas attack on Israel, her son often says that violence should be met by violence. She told the FBI agents that she cannot leave the Defendant alone "cause he has evil thoughts", and when asked what kind of thoughts, she stated, "the worst thoughts, violence uh solves violence." The Defendant's mother was asked if he thinks he needs to be personally involved in violence, and she replied, "I think yeah." When asked to elaborate, the Defendant's mother stated, "Because he likes the thoughts, ISIS thoughts, and the ISIS they uh violence." After acknowledging her son's support for ISIS, she went on to further describe ISIS, stating, "They just kill." She further detailed how the Defendant had thrown a knife at her face and that he was remorseless about having done so and was mad at her for having called the police. She also indicated that the Defendant would yell at her and not listen to her.

In the most recent interviews of the Defendant and his brother, the brother acknowledged that the Defendant openly speaks of violence and killing people who support Israel. The Defendant has asked his brother to go with him to purchase a gun and has outbursts of anger. The Defendant

also did not minimize his desire to fight for ISIS and kill supporters of Israel. He not only supports ISIS online but has researched and investigated means of conducting attacks in the United States, including scouting potential military recruitment centers and identifying military members in the area. The Defendant also admitted he has trouble controlling his anger.

ARGUMENT

As evidence described above makes clear, the Defendant cannot rebut the presumption that there are no conditions or combination of conditions that will (1) reasonably assure his appearance, and (2) guarantee the safety of any other person and the community. The evidence of his indicted offense and surrounding conduct demonstrates his long-standing support for ISIS and eagerness to engage in violent attacks on ISIS's behalf. The Defendant has repeatedly expressed his desire to travel overseas to fight for ISIS in communications with numerous individuals. Specifically, he has also discussed repeatedly the desire to travel overseas to commit violent jihad, both in Africa and the Middle East. His intent and ability to travel is not mere conjecture given that the Defendant lived in Lebanon for approximately 18 years and remains in contact with his extended family there, including his uncle. His family has also openly stated that they, along with the Defendant, would return to Lebanon in lieu of having the Defendant face these charges. Should the Defendant flee the jurisdiction of the Court, he has overseas support systems that will place him beyond the ability of the Government to bring him back.

The Defendant also represents a danger to the community. The evidence, and the Defendant's own admissions, clearly establish that he has spent time planning and discussing the commission of violent attacks he desires to perpetrate, including in the Houston area. In fact, as recently as this year, he has expressed the desire to use an explosive belt and has used the internet to research and download files containing information on the use of cellphones as remote

detonators, as well as how to make a variety of explosives. He has also been physically violent towards his mother in relation to her calling the police and has placed his brother in the position of having to oversee his older sibling, something his brother indicated would be difficult to do.

All of this is in addition to the Defendant's conduct offering himself, and his services as a propaganda-maker to ISIS. In particular, he sought to work under the direction of an individual he believed to be an ISIS media "designer" to develop incendiary propaganda material that glorified ISIS's violent attacks. In so doing, he expanded the threat that he poses from the Houston community to all the places touched by the internet. He has created videos extolling the "virtue" of ISIS, the violence and death brought by ISIS, and the need for the terror perpetrated by ISIS to continue. He is dedicated to his mission to provide material support to ISIS in whatever form that may take. The United States Probation Office will not be able to guarantee the Defendant's future appearance or the safety of the community even with their resources. His mother is admittedly scared of him and his younger brother, by his own statements, is not in a position to monitor or control him. The Defendant cannot rebut the presumption of detention in this case, and therefore, he should be detained pending trial.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2024, I electronically filed the foregoing document with the clerk for the U.S. District Court, Southern District of Texas, using the electronic case filing system of the court a copy was provided by ECF/email.

/s/ Steven Schammel

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