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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA : Hon. Michael A. Hammer  
v. : Magistrate. No. 19-4081 (MAH)  
MUJEEB RAHMAN SAIFY, : **CRIMINAL COMPLAINT**  
a/k/a "FNU Mujeebu Rahman," :  
a/k/a "Mujeebu Rahman Saify," :  
a/k/a "Mujeeb-u-Rahman," and :  
a/k/a "Mujeeb-ur-Rahman" :


I, Patrick Simpson, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**SEE ATTACHMENT A**

I further state that I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations, and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

continued on the attached pages and made a part hereof.

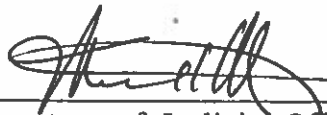
  
\_\_\_\_\_  
Patrick Simpson, Special Agent  
Homeland Security Investigations

Sworn to before me, and  
subscribed in my presence

February 5, 2019  
Date

at Newark, New Jersey  
City and State

Honorable  
Michael A. Hammer  
United States Magistrate Judge

  
\_\_\_\_\_  
Signature of Judicial Officer



**ATTACHMENT A**

**Count One**

(Conspiracy to Commit Alien Smuggling)

From in or about July 2016 through in or about February 2017, begun upon the high seas and elsewhere out of the jurisdiction of the District of New Jersey or any particular State or district and the District of New Jersey being the district of the last known residence of the offender, the defendant,

MUJEEB RAHMAN SAIFY  
a/k/a "FNU Mujeebu Rahman,"  
a/k/a "Mujeebu Rahman Saify,"  
a/k/a "Mujeeb-u-Rahman," and  
a/k/a "Mujeeb-ur-Rahman"

did knowingly and willfully conspire and agree with others known and unknown, to commit offenses against the United States, that is, to encourage and induce an alien to come to, enter, and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry, and residence is and will be in violation of law, contrary to Title 8, United States Code, Section 1324(a)(1)(A)(iv); in violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I).



**Count Two**

(Encouraging and Inducing Alien Smuggling)

From in or about July 2016 through in or about October 2016, begun upon the high seas and elsewhere out of the jurisdiction of the District of New Jersey or any particular State or district and the District of New Jersey being the district of the last known residence of the offender, the defendant,

MUJEEB RAHMAN SAIFY  
a/k/a "FNU Mujeebu Rahman,"  
a/k/a "Mujeebu Rahman Saify,"  
a/k/a "Mujeeb-u-Rahman," and  
a/k/a "Mujeeb-ur-Rahman"

did knowingly encourage and induce ALIEN-1 to come to, enter, and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry, and residence is and will be in violation of law, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and (v)(II).



**Count Three**

(Conspiracy to Allow or Procure or Permit an Alien Who Was Inadmissible on Security Grounds to Enter the United States)

From in or about July 2016 through in or about January 2017, begun upon the high seas and elsewhere out of the jurisdiction of the District of New Jersey or any particular State or district and the District of New Jersey being the district of the last known residence of the offender, the defendant,

MUJEEB RAHMAN SAIFY  
a/k/a "FNU Mujeebu Rahman,"  
a/k/a "Mujeebu Rahman Saify,"  
a/k/a "Mujeeb-u-Rahman," and  
a/k/a "Mujeeb-ur-Rahman"

did knowingly conspire and agree with others known and unknown to allow, procure, and permit ALIEN-2 to enter the United States, said alien being inadmissible under Title 8, United States Code, Section 1182(a)(3), as an alien who was inadmissible on security and related grounds, in violation of Title 8, United States Code, Section 1327.





**Count Four**

(Aiding and Assisting an Alien Who Was Inadmissible on Security Grounds to Enter the United States)

From in or about July 2016 through in or about January 2017, begun upon the high seas and elsewhere out of the jurisdiction of the District of New Jersey or any particular State or district and the District of New Jersey being the district of the last known residence of the offender, the defendant,

MUJEEB RAHMAN SAIFY  
a/k/a "FNU Mujeebu Rahman,"  
a/k/a "Mujeebu Rahman Saify,"  
a/k/a "Mujeeb-u-Rahman," and  
a/k/a "Mujeeb-ur-Rahman"

knowingly aided and assisted ALIEN-2 to enter the United States, ALIEN-2 being inadmissible under Title 8, United States Code, Section 1182(a)(3), as an alien who was inadmissible on security and related grounds, in violation of Title 8, United States Code, Section 1327, and Title 18, United States Code, Section 2.



**ATTACHMENT B**

I, Patrick Simpson, am a Special Agent of Homeland Security Investigations (HSI), Immigration and Customs Enforcement, Department of Homeland Security. My experience with HSI, as a Special Agent, has included the investigation of cases involving various human smuggling networks, financial frauds and other federal criminal violations of law. I have received training and have gained experience in the investigation of various crimes, including human smuggling. Based on my training and experience, I have gained extensive knowledge of how human smuggling organizations operate, including that such organizations are generally used by persons who are otherwise unauthorized to enter the United States. I have knowledge of the facts set forth herein through my personal participation in this investigation and through oral and written reports from other federal agents or other law enforcement officers. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged. Where I assert a value or amount, I am asserting an approximate value or amount. Where statements of others are related herein, including statements that were consensually recorded, these statements are related in substance and part. Because this Criminal Complaint is being submitted for the limited purpose of establishing probable cause for the issuance of arrest warrants against the named defendant, I have not set forth every fact known to me or other law enforcement officers concerning this investigation. Rather, I have set forth only those facts that I believe are sufficient to show probable cause exists to believe that the defendant has committed the offenses set forth in Attachment A.

**The Defendant and Other Parties:**

1. At all times relevant to this Criminal Complaint:
  - a. Defendant Mujeeb Rahman Saify, a/k/a “FNU Mujeeb Rahman,” a/k/a “Mujeebu Rahman Saify,” a/k/a “Mujeeb-u-Rahman,” and a/k/a Mujeeb–ur-Rahman) (hereinafter “the defendant”) was a national of Afghanistan and resident of New York and New Jersey.
  - b. An individual not named as a defendant herein was a co-conspirator (hereinafter “Co-Conspirator One”), who operated the smuggling network employed by the defendant and served as the defendant’s point of contact to make all smuggling arrangements.
  - c. An individual not named as a defendant herein was a co-conspirator (hereinafter “Co-Conspirator Two”), who operates a travel agency in Peshawar, Pakistan, and provided travel documents for ALIEN-1 and ALIEN-2 to the defendant and Co-Conspirator One.



d. ALIEN-1 was a national of Afghanistan who illegally entered the United States on or about January 17, 2018, as is more fully describe below in paragraph 14.

e. ALIEN-2 was a national of Afghanistan and former interpreter for the United States military who was terminated from his employment for being a security risk based on his association with a foreign intelligence service, and who subsequently arrived at the United States without admission on January 19, 2018, as is more fully described below in paragraph 18. ALIEN-2 had previously applied for and been denied a U.S. visa.

### **Overview of the Smuggling Conspiracy**

2. The defendant and his co-conspirators, part of a Pakistan-based human smuggling network, agreed to smuggle ALIEN-1 to the United States by providing fraudulent travel documents and false indicia of travel itineraries to enable commercial air travel to South America for the purpose of illegally coming to the United States. The defendant charged approximately \$10,000.00USD to smuggle ALIEN-1 via commercial air travel from Afghanistan to Dubai, United Arab Emirates (UAE), and then to Sao Paolo, Brazil.

3. The defendant also conspired with and aided Co-Conspirator One to smuggle ALIEN-2 to the United States by sending passport photographs of ALIEN-2 to Co-Conspirator One and later receiving ALIEN-2's travel itinerary from Co-Conspirator Two for travel from Kabul, Afghanistan to Dubai. The defendant also attempted to arrange commercial air travel for ALIEN-2 from Brazil to El Salvador.

### **Smuggling Acts**

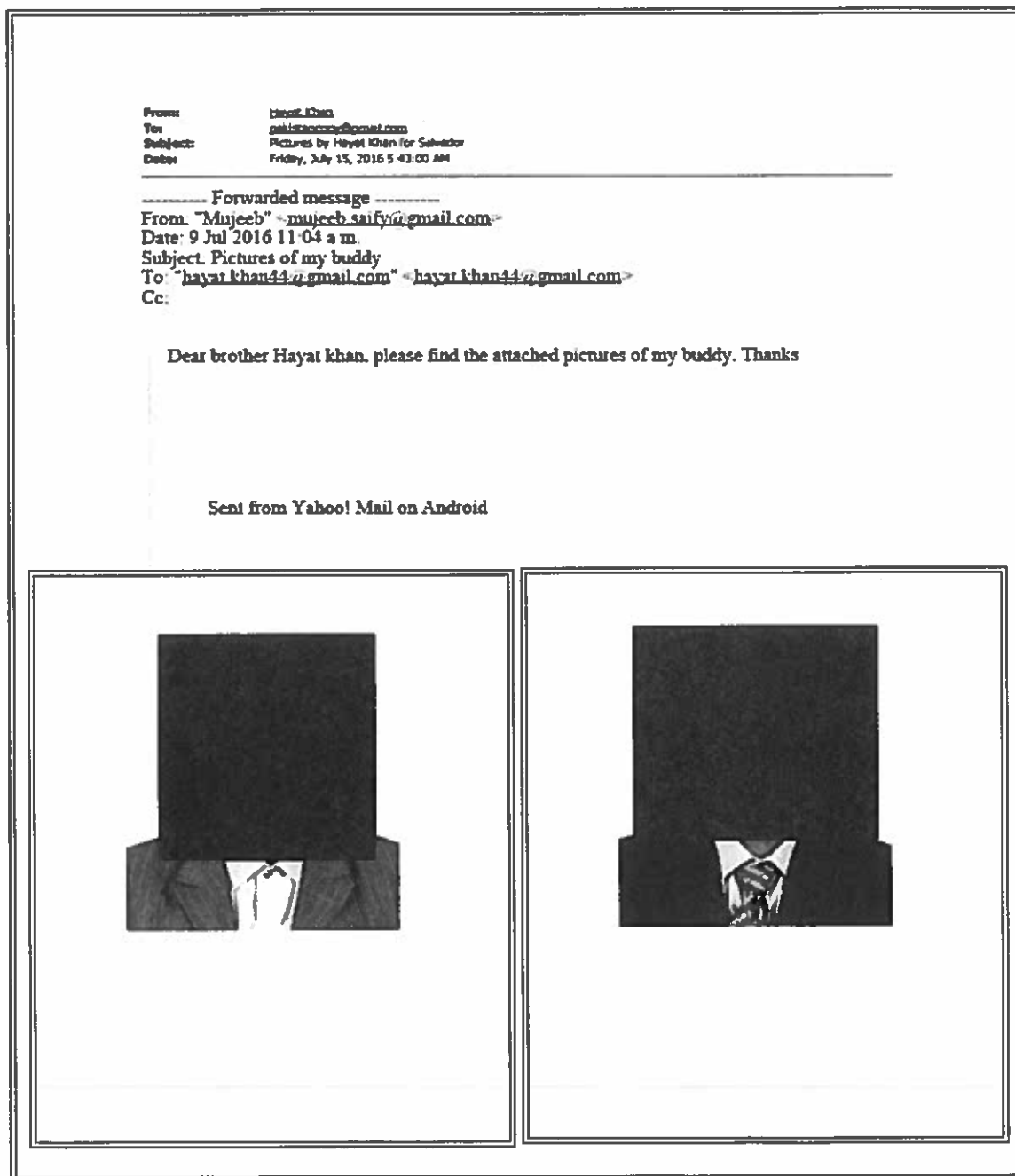
#### **ALIEN-1:**

4. In around July 2016, the defendant agreed to smuggle ALIEN-1 to the United States. According to ALIEN-1, the defendant met with ALIEN-1 on several occasions at a mutual acquaintance's home in Afghanistan, where the defendant instructed ALIEN-1 that he would be provided with a fraudulent Bolivian or Peruvian visa and fly on a commercial airline from Kabul to Dubai to Brazil.

5. According to ALIEN-1, the defendant advised ALIEN-1 that the smuggling would be arranged through Co-Conspirator One, who illegally sends people to the United States. The defendant also advised that the price to go to the United States was \$10,000.00 USD, and the defendant asserted that he could not lower the price because he had to pay Co-Conspirator One for the visas and airfare.



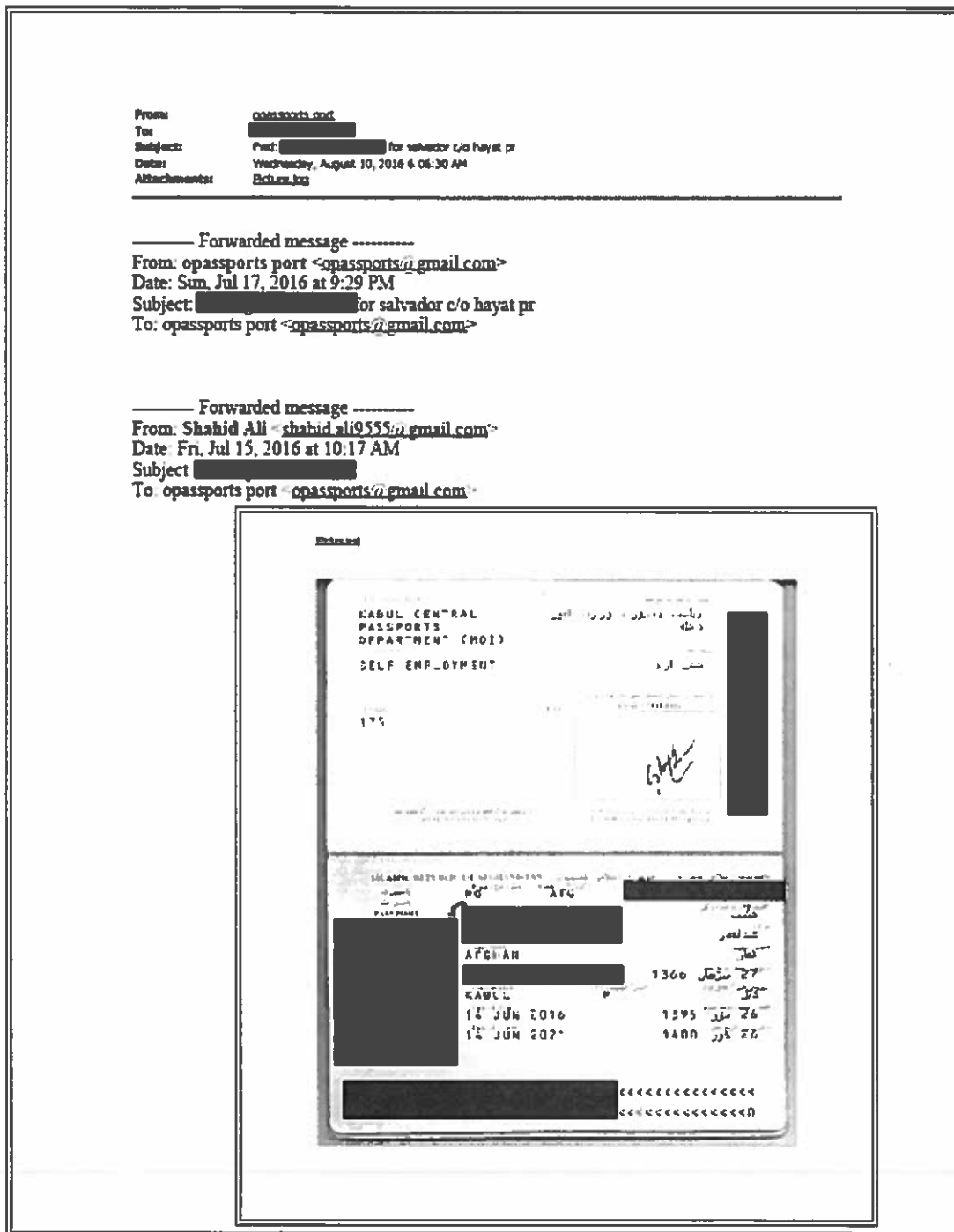
6. According to ALIEN-1, in around July 2016, the defendant instructed ALIEN-1 to provide his Afghanistan passport and two different passport photographs. One passport photograph was for a fraudulent passport and one was for a visa. After ALIEN-1 obtained the two passport photographs, ALIEN-1 sent them by email to the defendant. The defendant then sent the photographs to "Hayat Khan," who forwarded the email and attachments to Co-Conspirator One. An image of the email with the two passport photographs ALIEN-1 gave to the defendant is below:





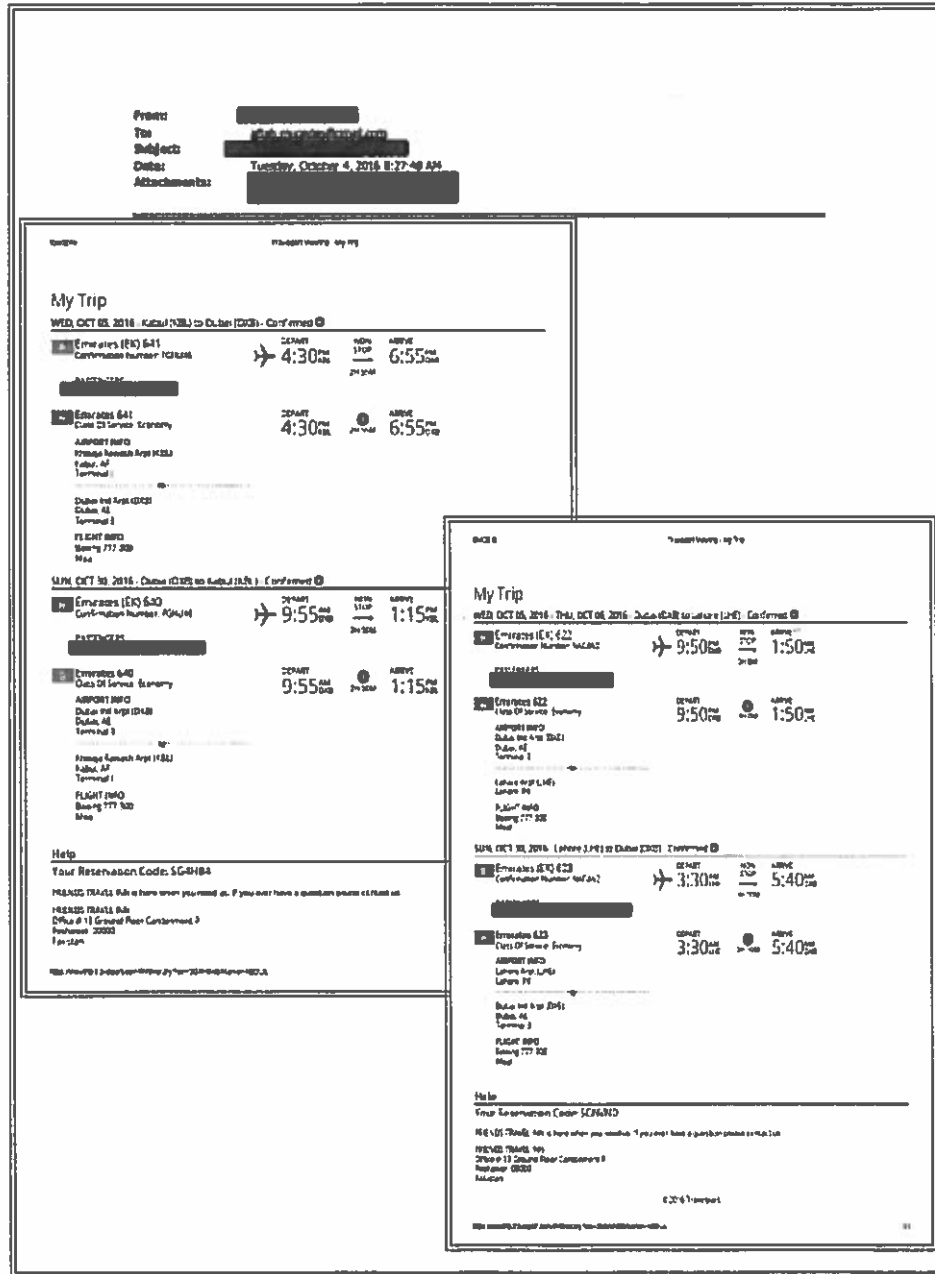


7. In August 2016, Co-Conspirator One forwarded an email with an attached photograph of ALIEN-1's Afghanistan passport biographical page to Co-Conspirator Two, who operates a travel agency and who made travel arrangements for ALIEN-1. An image of the email and the attached photograph of ALIEN-1's Afghanistan passport is below:





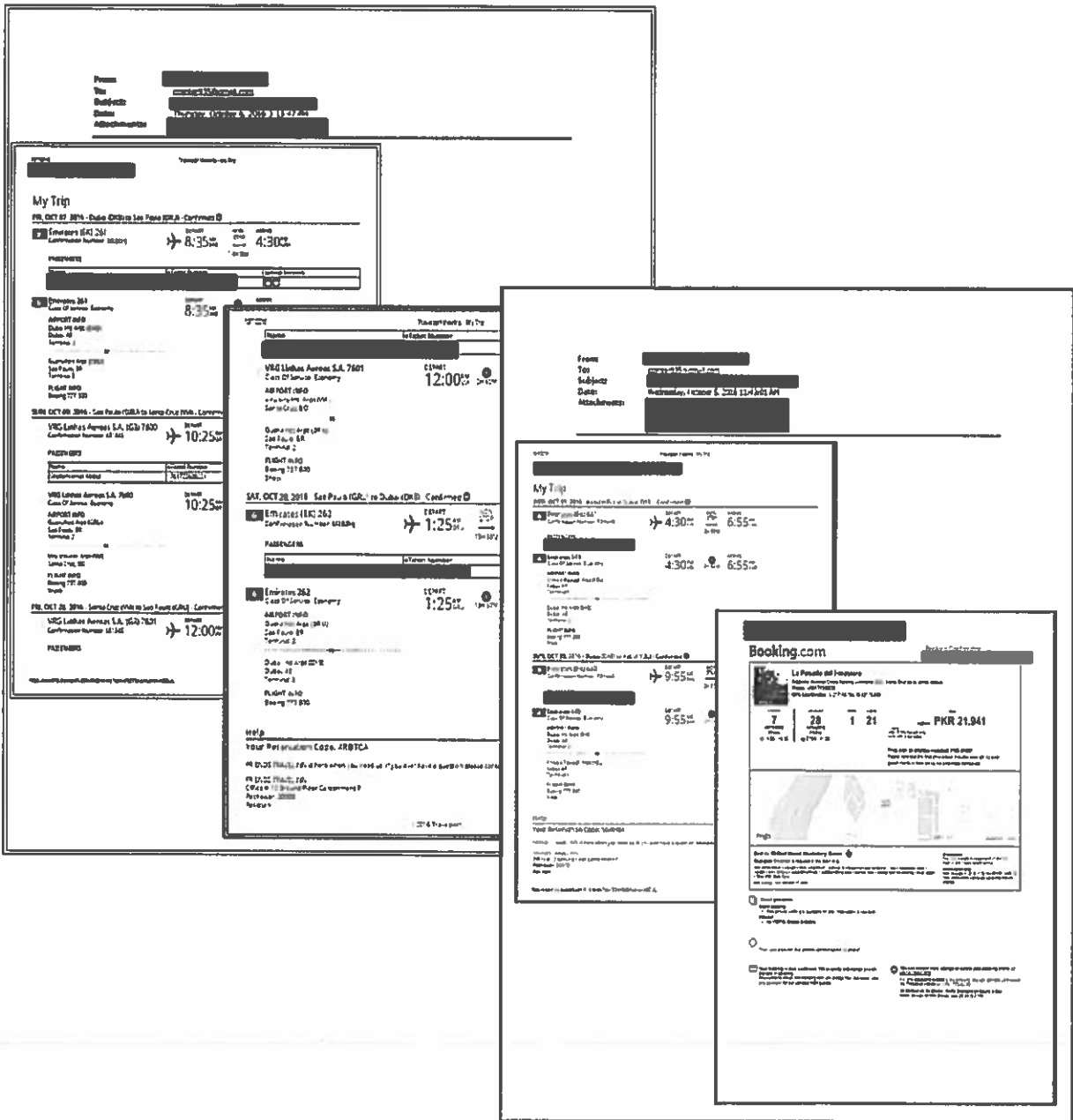
8. In October 2016, Co-Conspirator Two sent ALIEN-1's travel itinerary to the defendant. An image of the email and attached itinerary is below:



9. According to ALIEN-1, on or about October 5, 2016, the defendant met ALIEN-1 at Kabul International Airport in Afghanistan, where he provided ALIEN-1 with a fake Moroccan passport and commercial airline ticket to Dubai, United Arab Emirates. The defendant then accompanied ALIEN-1 on the first part of ALIEN-1's travel itinerary from Kabul to Dubai.



10. According to ALIEN-1, after arriving at the Dubai International Airport, the defendant instructed ALIEN-1 to follow him to an office area in the airport, where the defendant used a computer to print out several documents. The defendant gave the documents to ALIEN-1 and advised that they were travel documents pertaining to ALIEN-1's flight to Brazil. The documents included a plane ticket, electronic visa, invitational letter, and hotel reservations. The defendant also instructed ALIEN-1 to use the fake Moroccan passport to enter Brazil. An image of the email and documents the defendant printed at the Dubai International Airport and gave to ALIEN-1 are below:





11. According to ALIEN-1, while at the Dubai International Airport, ALIEN-1 received a call from Co-Conspirator One, who asked ALIEN-1 if he had received the travel documents. Co-Conspirator One instructed ALIEN-1 to show the travel documents to the airline gate representative, and he advised ALIEN-1 that immigration authorities at Dubai International Airport may take several days to review the documents. After several days, ALIEN-1 was allowed to travel to Brazil.

12. Upon arriving at Sao Paulo, Brazil, ALIEN-1 successfully bypassed the airport immigration checkpoint. According to ALIEN-1, an individual named "Tariq Zeb" called ALIEN-1 in Brazil, although ALIEN-1 had not provided his number to "Tariq Zeb," nor did he know how "Tariq Zeb" obtained it. According to ALIEN-1, "Tariq Zeb" instructed him to meet at the front of the airport, where "Tariq Zeb" arrived and transported ALIEN-1 to a residence.

13. According to ALIEN-1, while staying in Brazil, ALIEN-1 met another Afghan national, ALIEN-2. ALIEN-1 learned from ALIEN-2 that the defendant also smuggled ALIEN-2.

14. In furtherance of the conspiracy, on or about January 17, 2018, ALIEN-1 entered the United States without authorization as a result of paying the defendant, Co-Conspirators One and Two, and others known and unknown, approximately \$10,000.00 USD.

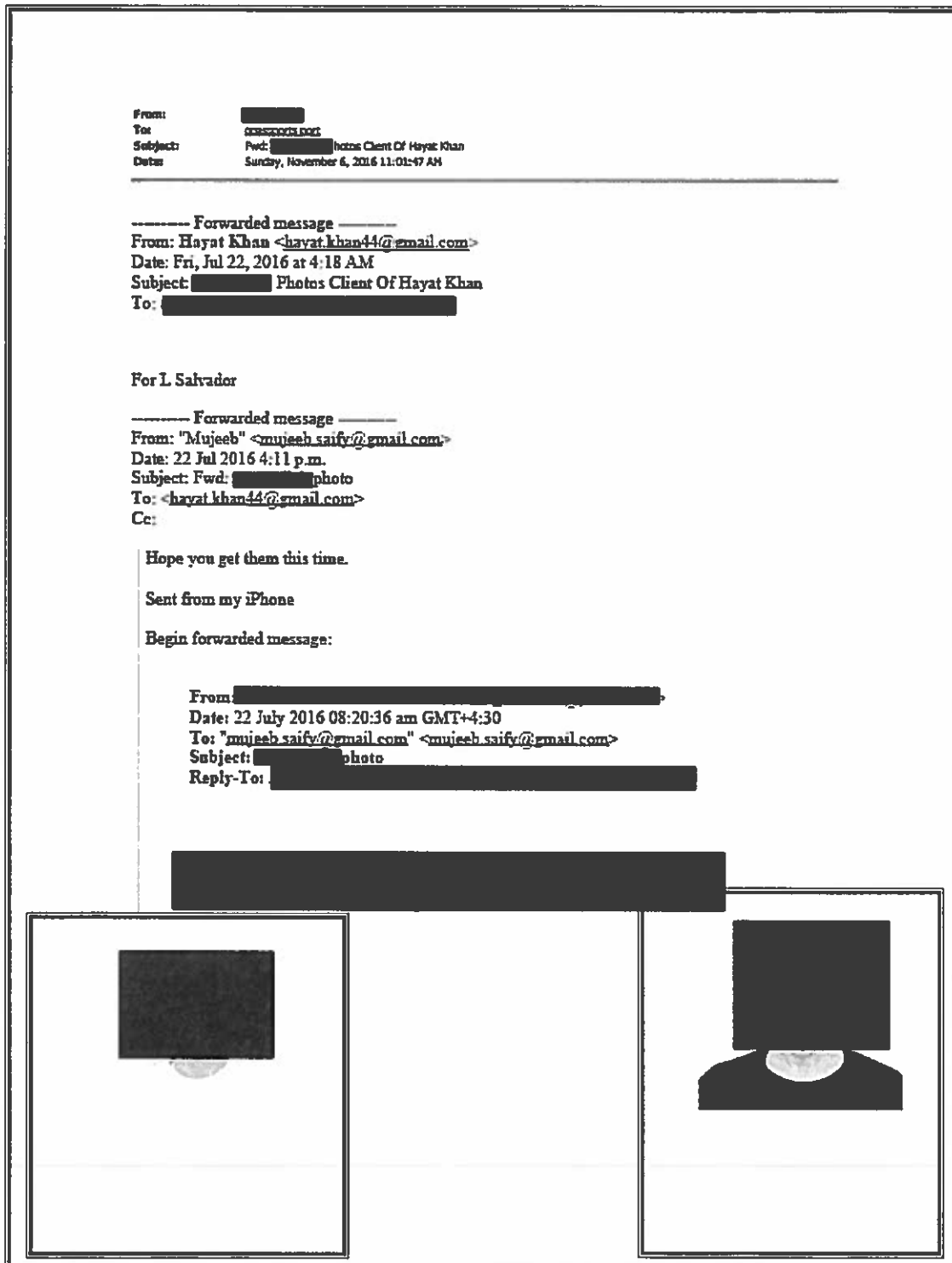
ALIEN-2.

15. According to ALIEN-1, while in Brazil, the defendant called ALIEN-1 several times. On one occasion, the defendant offered to arrange a flight for ALIEN-1 from Brazil to El Salvador to further his smuggling to the United States. The defendant told ALIEN-1 that he was also sending ALIEN-2 on the same route.





16. In July 2016, the defendant sent an email with two different passport photographs of ALIEN-2 to "Hayat Khan," who then forwarded the email and photographs to Co-Conspirator One, stating, "For L Salvador." An image of the email and attached passport photographs of ALIEN-2 are below:





17. In September 2016, Co-Conspirator Two sent ALIEN-2's itinerary to the defendant. An image of the email and attached itinerary is below:

**From:** [REDACTED]  
**To:** [afab.mazad@foma.com](mailto:afab.mazad@foma.com)  
**Subject:** [REDACTED]  
**Date:** Wednesday, September 21, 2016 8:45:37 AM  
**Attachments:** [REDACTED]

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9212016 Transport Weirp - My Trip

**My Trip**

**THU, SEP 22, 2016 - Kabul (KBL) to Dubai (DXB) - Confirmed**

<p><b>Emirates (EK) 641</b> Confirmation Number: FTBSJ</p> <p><b>PASSENGERS</b></p> <p><b>Emirates 641</b> Class Of Service: Economy</p> <p><b>AIRPORT INFO</b> Khwaja Rawash Arpt (KBL) Kabul, AF Terminal 1</p> <p><b>Dubai Int Arpt (DXB)</b> Dubai, AE Terminal 3</p> <p><b>FLIGHT INFO</b> Boeing 777-300 Meal</p>	<p>DEPART <b>4:30 PM</b> KBL NON STOP 2H 55M</p> <p>ARRIVE <b>6:55 PM</b> DXB</p>
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9212016 Transport Weirp - My Trip

**THU, SEP 23, 2016 - Dubai (DXB) to Karachi (KHI) - Confirmed**

<p><b>Emirates (EK) 604</b> Confirmation Number: FTBSJ</p> <p><b>PASSENGERS</b></p> <p><b>Emirates 604</b> Class Of Service: Economy</p> <p><b>AIRPORT INFO</b> Dubai Int Arpt (DXB) Dubai, AE Terminal 3</p> <p><b>Quaid E Azam International (KHI)</b> Karachi, PK</p> <p><b>FLIGHT INFO</b> Boeing 777-300 Meal</p>	<p>DEPART <b>1:30 AM</b> DXB NON STOP 2H 0M</p> <p>ARRIVE <b>4:30 AM</b> KHI</p>
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9212016 Transport Weirp - My Trip

**THU, OCT 20, 2016 - Karachi (KHI) to Dubai (DXB) - Confirmed**

<p><b>Emirates (EK) 605</b> Confirmation Number: FTBSJ</p> <p><b>PASSENGERS</b></p> <p><b>Emirates 605</b> Class Of Service: Economy</p> <p><b>AIRPORT INFO</b></p>	<p>DEPART <b>5:45 AM</b> KHI NON STOP 2H 0M</p> <p>ARRIVE <b>6:45 AM</b> DXB</p>
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[Request Weirp Itinerary](#) [Request Weirp Itinerary](#) [Request Weirp Itinerary](#) [Request Weirp Itinerary](#) [Request Weirp Itinerary](#) [Request Weirp Itinerary](#) [Request Weirp Itinerary](#) [Request Weirp Itinerary](#) [Request Weirp Itinerary](#) [Request Weirp Itinerary](#)

9212016 Transport Weirp - My Trip

**Quaid E Azam International (KHI)**  
Karachi, PK

**Dubai Int Arpt (DXB)**  
Dubai, AE  
Terminal 3

**FLIGHT INFO**  
Boeing 777-300  
Meal

**THU, OCT 20, 2016 - Dubai (DXB) to Kabul (KBL) - Confirmed**

<p><b>Emirates (EK) 640</b> Confirmation Number: FTBSJ</p> <p><b>PASSENGERS</b></p> <p><b>Emirates 640</b> Class Of Service: Economy</p> <p><b>AIRPORT INFO</b> Dubai Int Arpt (DXB) Dubai, AE Terminal 3</p> <p><b>Khwaja Rawash Arpt (KBL)</b> Kabul, AF Terminal 1</p> <p><b>FLIGHT INFO</b> Boeing 777-300 Meal</p>	<p>DEPART <b>9:55 AM</b> DXB NON STOP 2H 50M</p> <p>ARRIVE <b>1:15 PM</b> KBL</p>
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**Help**

Your Reservation Code: KJCH7G

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Peshawar, 00000  
Pakistan

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18. In furtherance of the conspiracy, on or about January 19, 2018, ALIEN-2 arrived at the United States without admission as a result of the assistance of Co-Conspirators One and Two, and others known and unknown. At the time the defendant aided and assisted ALIEN-2 to come to the United States, ALIEN-2 was inadmissible under Title 8, United States Code, Section 1182(a)(3), as an alien who was inadmissible on security and related grounds.

Conclusion

19. Based upon the above, Your Affiant respectfully submits that sufficient probable cause has been set forth, establishing that the defendant has committed and has conspired to commit the offenses alleged in Attachment A.

