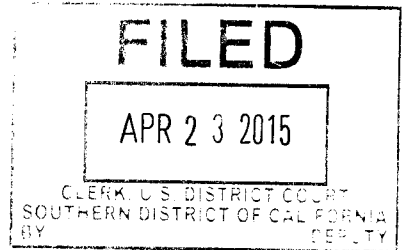


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA,

Plaintiff,

v.

MOHAMAD SAEED KODAIMATI,

Defendant.

Magistrate Docket No.

COMPLAINT FOR VIOLATION OF:

Title 18, U.S.C., Sec. 1001(a)(2)– False  
Statements Involving International Terrorism

15 MJ 1257

The undersigned complainant, being duly sworn, states:

COUNT ONE

On or about March 10, 2015, at the United States Embassy, in Ankara, Turkey, the defendant MOHAMAD SAEED KODAIMATI (SAEED), in a matter within the jurisdiction of the executive branch of the Government of the United States, to wit: the Federal Bureau of Investigation (“FBI”) and the Department of State’s Diplomatic Security Service (“DSS”), did knowingly and willfully make materially false, fraudulent, and fictitious statements and representations, when SAEED represented and stated to a Special Agent of the FBI and a Special Agent of the DSS that:

- (1) He had never worked for or volunteered at a Sharia Court;
- (2) He had only been to a Sharia Court once;
- (3) He did not know anyone who was a member of ISIS, a Foreign Terrorist Organization also known as Islamic State in Iraq and the Levant (ISIL);

(4) While in Syria, he had never been involved with Al Nusrah, a Foreign Terrorist Organization, in any manner;

(5) While in Syria, he had never been involved in any fighting;

(6) While in Syria, he never fired a weapon at anyone;

(7) While in Syria, he had never been in combat; whereas, in truth and fact, as defendant then and there well knew, these statements and representations were false, fictitious and fraudulent when made.

It is further alleged that this offense involved international terrorism.

All in violation of Title 18, United States Code, Section 1001(a)(2).

## COUNT TWO

On or about March 11, 2015, at the United States Embassy, in Ankara, Turkey, the defendant MOHAMAD SAEED KODAIMATI, in a matter within the jurisdiction of the executive branch of the Government of the United States, to wit: the Federal Bureau of Investigation ("FBI") and the Department of State's Diplomatic Security Service ("DSS"), and having been arrested in the Southern District of California, did knowingly and willfully make materially false, fraudulent, and fictitious statements and representations, when SAEED stated to Special Agents of the FBI and a Special Agent of DSS that:

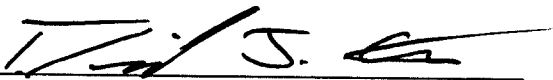
(1) He never communicated with an individual named A.S. about Al-Nusrah, a Foreign Terrorist Organization, and ISIS, a Foreign Terrorist Organization also known as Islamic State in Iraq and the Levant (ISIL);

(2) He never told A.S. that he was affiliated with Al-Nusrah in any manner; whereas, in truth and fact, as defendant then and there well knew, these statements and representations were false, fictitious and fraudulent when made.

It is further alleged that this offense involved international terrorism.

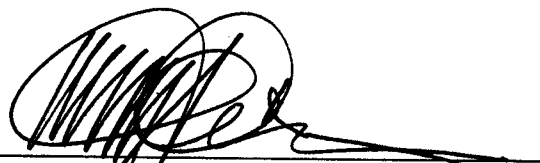
All in violation of Title 18, United States Code, Section 1001(a)(2).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
\_\_\_\_\_  
David J. Cotter, Special Agent  
Federal Bureau of Investigation

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE,

THIS 23<sup>rd</sup> DAY OF April, 2015.

  
\_\_\_\_\_  
Hon. Karen S. Crawford  
United States Magistrate Judge

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST**

**WARRANT**

This affidavit is being submitted by the affiant, Special Agent David J. Cotter, in support of a criminal complaint relating to MOHAMAD SAEED KODAIMATI (hereinafter "Saeed"). There is probable cause to believe that the above-identified individual committed the following criminal offense in violation of United States law: making false statements involving international terrorism, in violation of Title 18, U.S.C., Sec. 1001(a)(2).

I, David J. Cotter, being duly sworn, hereby depose and state as follows:

**SUMMARY OF PROBABLE CAUSE**

1. Saeed, who was attempting to return to the United States from Syria, made material false statements to Special Agents from the Federal Bureau of Investigation and Diplomatic Security Service at the United States Embassy in Ankara, Turkey. Specifically, he falsely claimed that he had never worked at or volunteered at a Sharia court, that he had only visited a Sharia court on one occasion, that he didn't know anyone who was a member of ISIL, that he had never been involved with the Al-Nusrah Front in any manner, that he never been involved in any fighting, that he had never fired a weapon at anyone, that he had never been in combat, and that he had never told anyone else that he was involved

with Al-Nusrah or ISIL.

### **AFFIANT'S BACKGROUND**

2. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed since February 2011. Prior to working for the FBI, I was a commodity trader in Chicago, New York, and Dublin, Ireland. My FBI training includes a 21-week FBI new agents' class, during which I received instruction on conducting criminal and intelligence investigations, conducting searches and seizures, and effecting criminal arrests. I have received additional training for counterterrorism investigations. I am currently assigned to the San Diego Field office to a squad responsible for international counterterrorism investigations. I have worked in the counterterrorism field for over one year with prior experience working white collar crime investigations. My primary responsibilities include the investigation of crime as defined by the United States Code. As a result of my experience in counterterrorism investigations, I am familiar with the strategy, tactics, methods, tradecraft and techniques of agents of international terrorism and international terrorism organizations.

3. The statements contained in this affidavit are based on information I have learned through my personal participation in this investigation, from oral and written reports of other law enforcement officers, from records, documents, and

other evidence obtained during this investigation, and from my experience and training as a Special Agent. Since this affidavit is being submitted for the limited purpose of supporting a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the charged offenses.

#### **BACKGROUND ON SYRIA, AL-NUSRAH, AND ISIL**

4. Syria is currently involved in a civil war. A variety of groups are fighting against the Syrian regime. These groups include the Al-Nusrah Front (“Al-Nusrah” or “ANF”) and the Islamic State of Iraq and the Levant (“ISIL” aka “ISIS”). The United States has designated both Al-Nusrah and ISIL as Foreign Terrorist Organizations (“FTOs”).

5. On October 15, 2004, the United States Secretary of State designated al-Qa’ida in Iraq (“AQI”), then known as Jam’at al Tawhid wa’al-Jihad, as a FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224. On December 11, 2012, the Secretary of State amended the designation of AQI to include the following aliases: al-Nusrah Front, Jabhat al-Nusrah, Jabhet al-Nusra, The Victory Front, and Al-Nusrah Front for the People of the Levant.

6. On May 15, 2014, the Secretary of State, in response to the evolving nature of the relationships between Al-Nusrah and AQI, amended the FTO designation of AQI to remove all aliases associated with al-Nusrah Front. Separately, the Secretary of State then designated al-Nusrah Front, also known as Jabhat al-Nusrah, also known as Jabhet al-Nusra, also known as The Victory Front, also known as Al-Nusrah Front for the People of the Levant, also known as Al-Nusrah Front in Lebanon, also known as Support Front for the People of the Levant, and also known as Jabaht al-Nusra li-Ahl al-Sham min Mujahedi al-Sham fi Sahat al-Jihad, as a FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224. To date, Al-Nusrah remains a designated FTO.

7. On October 15, 2004, the United States Secretary of State designated al-Qa'ida in Iraq (AQI), then known as Jam'at al Tawhid wa'al-Jihad, as a FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.

8. On May 15, 2014, the Secretary of State amended the designation of AQI as a FTO under Section 219 of the Immigration and Nationality Act 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 ISIL listing: the Islamic State of Iraq and al-Sham (“ISIS”), the Islamic State of Iraq and Syria (“ISIS”), ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. Although the group has never called itself “Al-Qaeda in Iraq (AQI),” this name has frequently been used to describe it through its history. To date, ISIL remains a designated FTO. In an audio recording publicly released on June 29, 2014, ISIL announced a formal change of ISIL’s name to Islamic State.

#### **BACKGROUND ON MOHAMAD SAEED KODAIMATI**

9. Saeed was born in Aleppo, Syria, on January 17, 1991. He first came to the United States in approximately 2001. On or about September 19, 2008, he became a United States citizen through his father’s naturalization. Since coming to the United States, he has lived in Charlotte, North Carolina and San Diego, California. On or about December 24, 2012, he left San Diego to travel to Istanbul, Turkey.

10. On or about March 5, 2015, Saeed told American Citizen Services at the U.S. Embassy in Turkey that he had been in Syria and Turkey since 2012. He stated that he was arrested in Turkey in 2013 and deported to Syria approximately one month later. Since then, Saeed claimed that he had been living in Kafr Hama,



Syria, where his family owns property.

11. Records obtained from Saeed's Facebook account indicate the following:

Account Number: 1078894729  
Username: Sa3eDoOo  
Account Name: Mohammad SAEED  
User ID: 1078894729  
Email: saeedk\_113@hotmail.com  
Phone: 1-858-722-5841

12. In recent interviews, Saeed admitted that this is his Facebook account and that no one else has used it, had control over it, or authorization to use it. Additionally, the account contains numerous photographs of Saeed, and the phone number and email associated with the account are known to be used by Saeed.

**FALSE STATEMENTS INVOLVING INTERNATIONAL TERRORISM**

**MADE AT THE ANKARA, TURKEY EMBASSY**

13. On or about March 5, 2015, Saeed attempted to fly from Istanbul to San Diego, California via Charlotte, North Carolina. According to Saeed, he was denied boarding and told to call the U.S. Embassy.

14. On March 10, 2015, Saeed went to the Embassy in Ankara, Turkey. He was interviewed by an FBI Special Agent, as well as a Diplomatic Security Service Special Agent. At the outset of the interview, Saeed was advised that he was not under arrest and that he was free to leave. He was also advised that if he chose to answer any questions, he needed to tell the truth, because making false statements

to American federal officials was a criminal offense. Saeed acknowledged that he understood and that he wanted to talk.

15. During the course of that interview, Saeed was asked the following questions and provided the following answers:

a. Saeed was asked if he had ever worked, volunteered, or even been to a Sharia Court.

b. Saeed responded that he had never worked at or volunteered at a Sharia Court. He claimed that he had only been to a Sharia Court on one occasion, to help a woman who had her property stolen.<sup>1</sup>

c. Saeed was asked if he knew anyone who was a member of the terrorist group ISIS.

d. Saeed responded that he did not know anyone who is a member of ISIS, adding that they are “killers” and “if we see them, we leave.”

e. Saeed was asked if he had been involved or affiliated with the terrorist group Al-Nusrah in any way.

f. Saeed stated that neither he nor any member of his family were members of Al-Nusrah, or involved or affiliated with them in any manner.

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<sup>1</sup> Your affiant is aware that Sharia Courts are courts that follow Islamic Sharia law, as set out in the Koran and other religious writings. While sometimes understood as a criminal court, a Sharia court can also function as a general municipal government body. Various terrorist groups, including Al-Nusrah and ISIL have set up Sharia Courts in Syria and elsewhere to impose government and legal authority in areas they control.

g. Saeed was asked whether or not he had been involved in fighting, fired a weapon at anyone, or been in combat.

h. Saeed responded that although he owned a weapon (AK-47), he had never been involved in any fighting, had never fired a weapon at anyone, and had never been in combat. He claimed that he would go outside with his friends and fire his weapon in the air, so as to scare people away, but had never shot at anyone nor been involved in any combat.

16. On or about March 11, 2015, Saeed returned to the embassy and answered additional questions. The interview was conducted by the same FBI and DSS agents, with one additional FBI agent present. He was advised again that he was not under arrest, was free to leave at any time, and that lying to a federal agent was a crime. Saeed agreed to answer questions.

17. In the March 11, 2015 interview, Saeed was asked the following questions and gave the following answers:

a. Saeed was asked if ever communicated with a friend back home, A.S., about Al-Nusrah or ISIS.

b. Saeed answered that he had never communicated with A.S. about Al-Nusrah or ISIS.

c. Saeed was asked whether he had admitted to A.S. that he was a member of Al-Nusrah.

d. Saeed denied telling A.S. that he was affiliated with Al-Nusrah.

### **OTHER INTERVIEWS**

18. On or about March 23, 2015, Saeed was interviewed at the Charlotte, North Carolina, International Airport by Customs and Border Protection Agents after arriving in the United States from a flight originating in Turkey.

19. Immediately thereafter, on or about March 23, 2015, FBI agents interviewed Saeed at the airport.

20. On or about March 25, 2015, Saeed was interviewed again by FBI agents in Charlotte, North Carolina.

21. On or about March 31, 2015, Saeed was interviewed by one FBI agent and one HSI agent in San Diego, California.

### **FALSE STATEMENTS REGARDING SHARIA COURT**

22. At the embassy in Ankara, Turkey, on or about March 10, 2015, Saeed stated to federal agents that he had never worked or volunteered at a Sharia Court, and that he had only been to such a court on one occasion. These were materially false statements in that:

a. On or about September 15, 2013, Saeed (via Facebook private message) told K.S. (a regular contact of Saeed's) in Arabic that he was working for the Sharia Authority at Hanano. ("I'm working for the Shari'ah Authority at Hanano.") He also said that no one was to know and explained that only his family knows. When asked what he did, Saeed explained: "it's a government in the liberated area -- being set up upon the Islamic religion -- and governed by the Quran." His contact asked Saeed "you mean the Al-Nusrah front?" Saeed replied that it was "something like that ... but that are called Shari'ah Authority." In a later conversation, his contact asked "what are you working?" Saeed responded: "At the Shari'ah Authority."

b. Additionally, Saeed conversed with a number of individuals via Facebook, either representing himself as a member of the Sharia Court or posting documents on their behalf:

i. Between September and October 1, 2013, Saeed used his Facebook account to publish an Arabic memo to Facebook User "Alternative Aleppo Eyewitness." (The memo is from the Sharia Authority in Aleppo, Hanano Branch, and discusses Sharia Authority business about water stations -- The court went to inspect battalions stationed around the water company and oversaw news regarding damages and thefts from the company. The memo

noted that Abu Amar was the Chief of the Sharia Authority and that others were “performing their jihadist duty like the others who are stationed; and that there is no present danger from side of the jihadist brothers.”)

ii. On or about September 22, 2013, Saeed used his Facebook account to publish a similar Arabic memo to Facebook User “Aleppo Today.”

iii. On or about September 23, 2013, Saeed used his Facebook account to publish a similar Arabic memo to Facebook User “Aleppo Sharia Authority.”

iv. On or about September 29, 2013, Saeed contacted Doctor T.A. via Facebook and told him (in Arabic) that he was “currently in the Sharia Authority in Aleppo, Hanano Branch and [there is a] matter that concerns the Authority.” He also stated that “I am currently the media person for the Shari’ah Authority.”

v. On or about October 7, 2013, in a Facebook private message between Saeed and S.M.M., Saeed stated (in Arabic) that he was “on the Sharia Authority.” In a later conversation on November 14, 2013, Saeed said that Al-Dawleh [ISIL] and the al-Ah’rar always coordinate together and the relationship between the Emirs is very good.

vi. On or about January 4, 2014, Saeed communicated via Facebook with K.M. in Arabic, who asked Saeed if he worked now with Da'ish [ISIL] in Kafra Hamra. Saeed asked where he had heard that and then responded "yes, with Al-Dawleh" [ISIL]. In response to a question, Saeed denied that he swore allegiance to ISIL. Instead, he explained that "my role is more of a reconciliatory one." When asked to clarify, Saeed stated that would be if Al-Nusrah got into a disagreement. "I am a mediator for those who have a problem with Da'ish [ISIL], and my Emir is open[-minded], and they have no one to turn to like him."

23. In his March 11, 2015 interview at the embassy he denied working at the Sharia Court but said that he sometimes went to visit his friend there during his free time.

24. In his interview with the FBI at the Charlotte airport on or about March 23, 2015, he was asked specifically if he had worked at the Sharia Court. He said "no." When pressed, he admitted that he told the agents in the embassy that he went to visit it a couple of times, "that's it."

25. When interviewed by the FBI in Charlotte on or about March 25, 2015, he reiterated that he did not work for the Sharia Court. When confronted with the Facebook evidence listed above, he claimed that he sent messages as a volunteer

for his friend who worked in the media arm of the court. He stated that he quit going to the court when problems between Al-Nusrah and ISIL began at the court. Saeed stated that he went to the court four or five days a week for about six or seven hours each day over the course of two or three months, taking a bus each time to get there.

26. At that interview, Saeed confirmed that the photograph below (taken from his Facebook account) was taken at the court, and that he used the headphones to communicate with others over the internet.





27. When interviewed in San Diego by FBI agents on or about March 31, 2015, he indicated that the photographs below were taken at the court. He stated that he borrowed the firearms from the armed guards at the court.



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**FALSE STATEMENTS REGARDING ISIL**

28. On or about March 10, 2015, at the U.S. Embassy in Ankara, Turkey, Saeed denied knowing anyone who was a member of ISIL. This was a materially false statement involving international terrorism in that:

29. As noted above in Paragraph 22.b.vi., Saeed admitted via Facebook to another person that he worked with ISIL and played a reconciliatory role with them when problems arose.

30. On or about March 23, 2015, when interviewed by CBP at the Charlotte airport on March 23, 2015, Saeed admitted that he knew of one Syrian national who had joined ISIL. This was a local from Kafra Hamra named M.M.

31. When interviewed by the FBI that evening, Saeed stated that he knew M.M., who lived in his town and voluntarily joined ISIL during the time period when ISIL was operating in his area.

32. On or about March 25, 2015, in an interview with Charlotte FBI agents, they confronted him with his Facebook message where he stated that he played a “reconciliatory” role between ISIL and Al-Nusrah. He stated that “if there is a problem in the area, like if they I-S-I-S will do anything bad to the one of the persons in the area, and we know he is a good person, we try and go explain him that there’s no problem with that person.” “Like I do kind of fix problems to whoever have problems with Daish [ISIL].” He said that ISIL trusted his friend M.M. (who joined ISIL) and that Saeed went to M.M. to try to fix problems. He stated that he never swore allegiance to ISIL but that “they know me, who I am, and I don’t have any problems with them.”

33. During that same interview, Agents showed Saeed the photograph attached below which Saeed had posted to Facebook. The photograph shows Saeed posing with A.O.G., an Egyptian. Saeed admitted that he met A.O.G. when they were both in prison in Turkey in 2013, awaiting deportation. Saeed admitted that he knew that A.O.G. was affiliated with Al-Nusrah and that he later joined ISIL.<sup>2</sup>



34. Saeed admitted that this photograph was taken in 2013 while he was in a Turkish prison for approximately 35 days awaiting deportation to Syria or the United States. Later, Saeed stated that he sought A.O.G.'s help when a friend of

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<sup>2</sup> Your affiant is aware that A.O.G. was convicted in Austria in 2007 for Educating and Nurturing a Terrorist Organization. He was released from prison in September 2011. In March 2013, he burned his Austrian passport, simultaneously threatened terror on a public internet video, and was subsequently arrested in Turkey. Since being released from jail in Turkey, he has sworn allegiance to ISIL.

his was kidnapped by ISIL: “I had a friend that ISIS took who was media, and um, I think I contacted him trying to see if he knows anything about that person.”

35. On or about March 31, 2015, in an interview with San Diego agents, Saeed was shown a picture of A.O.G. posing in front of an ISIL flag. Saeed admitted that he knew that A.O.G. had joined ISIL and re-told the story of how he reached out to him later for help with his friend who had been taken by ISIL. “I had a friend who ISIS took from Aleppo and, uh, we tryin’ to look for him and see why he, they took him, and stuff, like if we can pay money to release him or something.”

**FALSE STATEMENTS REGARDING AL-NUSRAH, FIGHTING, FIRING  
WEAPON AT OTHERS, ENGAGING IN COMBAT**

36. On or about March 10, 2015, at the U.S. Embassy in Ankara, Turkey, Saeed stated to agents that he was not a member of Al-Nusrah, was not involved or affiliated with Al-Nusrah in any manner, that he had never been involved in any fighting, never fired a weapon at anyone, and never been involved in combat.

These were materially false statements involving international terrorism in that:

37. On December 14, 2013, Saeed had the following conversation with A.S. (in English) via Facebook:

A.S.: What do you normally do doing this period everyday

Saeed: I work with the brothers  
Trying to help people  
to live Kind of Jihad

A.S.: How often do you use your weapon?  
Like everyday?  
Or are there certain days that you and others go to engage the enemy

Saeed: No need for fighters that much  
People here need a lot of help  
Whenever they need backup we go  
Thats how it goes

A.S.: Which group do you guys go to support?  
Whats their name?

Saeed: Lol  
Dont need to know  
The big guys hahahaha  
Got it?

A.S.: Is it al-nusra?

Saeed: Yeah

Later in the conversation:

A.S.: Do you feel closer to Allah since you've been back?

Saeed: Oh yeah Everytime I get out of the house I feel like im not going  
back so u be ready for that

A.S.: How may close calls would you say you've had or seen?

Saeed: A lot  
Its crazy over here

38. On or about April 12, 2014, Saeed conversed with another individual (in Arabic) via Facebook:

Saeed: [I swear] by Almighty [God], we went out and participated in a the raid, and we struck [with] the ammunition which we possess. And until today, we are [still] waiting to be resupplied, so that we may go out [again] We are 10 ... I and my neighbor's boys

They then discussed Saeed's father's wound:

M.M.K.: how is your father's wound?

Saeed: He's alright...it's better...He's on the [battle]-front with 'Abbudeh' Tomorrow I'm going out, and they'll return

M.M.K.: To what [battle]-front? And he's not wounded, why would he go out?

Saeed: He's better...better. At Al-Zahra...and his work is to do with snipers... it's not tiresome...

39. On or about May 9, 2014, Saeed conversed again with A.S. (in English) via Facebook:

A.S.: Did your father go with you [to the mosque]? Or do u guys keep at least one male in the house at all times?

Saeed: yes im that male. My father and rahmo<sup>3</sup> are in the battle lol :)

...

Saeed: im going tomorrow and they will come to the house

40. On or about March 23, 2015, Saeed told CBP officers at the Charlotte, North Carolina, International Airport that he had never shot at anyone, been shot at, or been near any explosions.

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<sup>3</sup> Your affiant is aware that "Rahmo" likely refers to Saeed's younger brother.

41. At his FBI interview on or about March 23, 2015, at the Charlotte International Airport, he denied working with “anybody in any way that was associated with Al-Nusrah.”

42. On or about March 25, 2015, at his second FBI interview in Charlotte, he initially denied fighting with Al-Nusrah or providing them with any support. Eventually, he admitted to providing a type of backup. First, he claimed that if Al-Nusrah needed help fighting the regime, they would go to fill the gaps, “to watch.” Then, he stated that he was asked to guard an “empty area” for “a couple of nights,” but that nothing happened while he was doing it. He claimed that they were in contact with Al-Nusrah via radio, but that they did not provide them with security and that they did not support them.

43. Later during that interview, Saeed admitted that he participated in a diversionary attack on a Syrian political prison in coordination with Al-Nusrah. He admitted that he fired at the prison, and that the Syrian Army shot back at him. He said that he and his fellow fighters were about 600-700 meters away from the prison and that he did not know if he killed anyone during this fight. He claimed that he fought in this area every few days for two or three weeks, sometime between April and July 2014. He confirmed that the photo below of himself and his brother (from his Facebook account) was taken during this time frame.



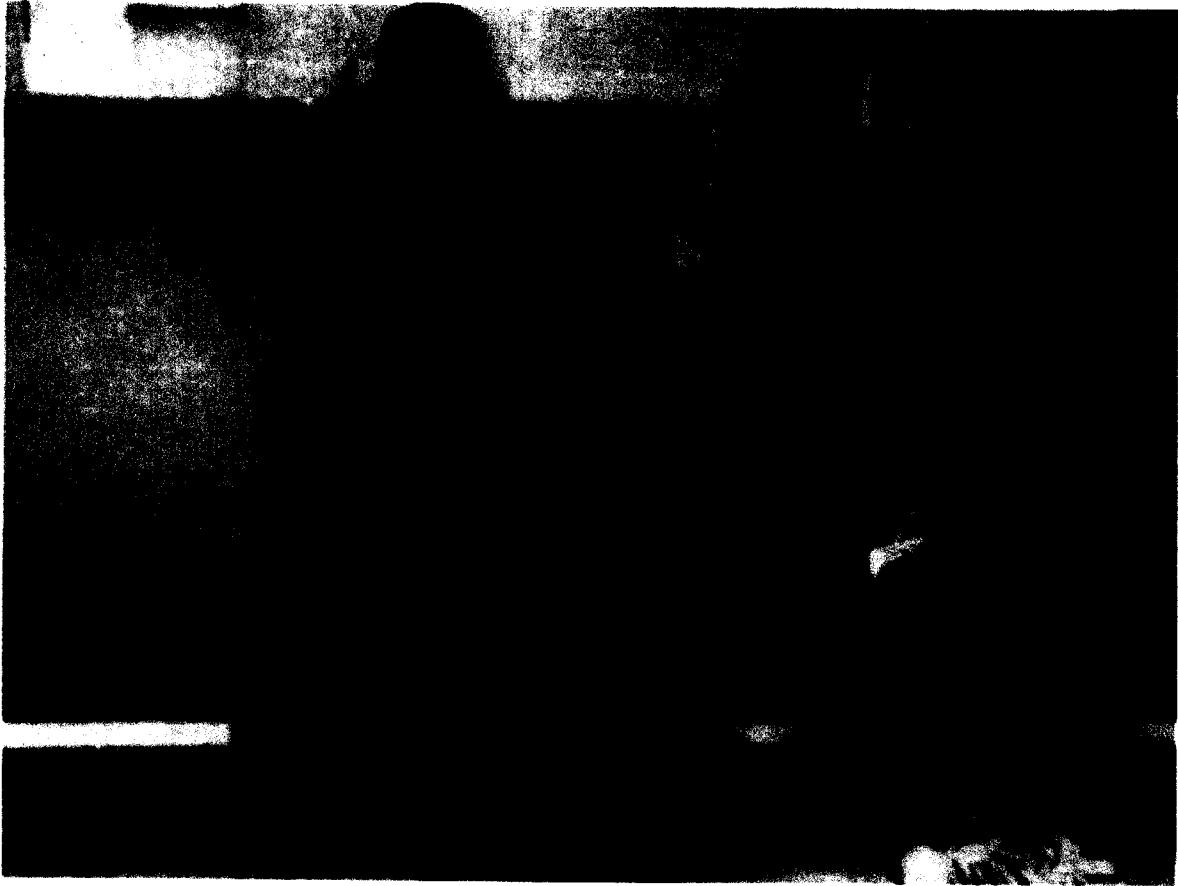


44. When interviewed by San Diego agents on or about March 31, 2015, he added additional details to what he had been doing. He confirmed that he was working in the same area as Al Nusrah (and had been invited to their training camp.) He explained that when Al Nusrah needed a break on the front lines, they would ask anybody in the area to come and provide assistance.

45. When asked to discuss his father's injury, he admitted that he was providing a diversionary attack for Al Nusrah (and the Free Syrian Army) while those groups were attacking a different target. "We were ... kind of shooting, letting the Regime think that something gonna happen from here or ... there's somebody here." They shot at the Regime during the night, spending four or five hours. Saeed admitted to emptying three magazines of ammunition. When they were almost out of ammo and the sun was coming up they "decided just to go back home. We were on our way back and the aircraft came and it throw a rocket. There was car close to us, I don't know whose car it were, and it did hit the car." He explained that he was closer to the car than his father, but his father was hit with shrapnel that went through his side and out through his back.

46. He further explained that his father did not usually go with them, but that he was worried because this was more serious than what they normally did. "He was kind of worried about us because it's not like we're going for regular check out." "They wanted us to actually do something . . . to shoot." He said that the operation was successful in that Al-Nusrah captured some buildings which they still hold.

47. When shown the photograph below (taken from his Facebook account), he acknowledged that this was taken during the time frame when he was fighting, and depicts the group he was fighting with.



**FALSE STATEMENTS IN SECOND EMBASSY INTERVIEW**

**REGARDING A.S., AL-NUSRAH AND ISIL**

48. On or about March 11, 2015, at the U.S. embassy in Ankara, Turkey, Saeed stated to federal agents that he had never communicated with his friend in the United States, A.S., about Al-Nusrah or ISIL and that he had never admitted to A.S. that he was affiliated with Al-Nusrah in any manner. These were materially false statements involving international terrorism in that:

49. See Paragraphs 37 and 39, above.

50. Saeed currently resides in the Southern District of California.

51. Based on the information set forth in this application, your affiant respectfully submits that there is probable cause to issue a criminal complaint and arrest warrant for MOHAMAD SAEED KODAIMATI for a violation of Title 18 United States Code Section 1001—False Statements Involving International Terrorism.

### **INTERVIEW AND ARREST**

52. On April 22, 2015, agents spoke again with Saeed at his residence in San Diego. During the interview, Saeed made additional admissions regarding his role at the Sharia Court, his involvement with Foreign Terrorist Organizations, and his combat experience while in Syria.

53. In summary, he stated that he was reimbursed by the Sharia Court. He provided additional details about his role in an extended battle during which Al-Nusrah and another FTO fought against the Assad regime. He explained that he actively participated in the battle which lasted approximately four months. He further clarified his role as a mediator between Al-Nusrah and ISIS. He also explained that when ISIS was in control of the area, he had the necessary permission from them to carry a weapon.

54. At the conclusion of the interview, Saeed was arrested for making false statements involving international terrorism. He was subsequently transported to

the FBI building where he was advised of his Miranda rights. He elected to exercise his right to an attorney and no further questioning was conducted.



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David J. Cotter, Special Agent  
Federal Bureau of Investigation

Subscribed and sworn before me this 23rd day of April, 2015.



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UNITED STATES MAGISTRATE JUDGE  
KAREN S. CRAWFORD

# DEFENDANT LOCATOR FORM

Name of Defendant: Mohamad Saeed Kodaimati DOB: \_\_\_\_\_

Date of Arrest: 4/27/2015 Time of Arrest: 1316

Arresting Agent/Agency: SA David S. Cotter / FBI  
Immigration Status: USC \_\_\_\_\_ MEX \_\_\_\_\_ LPR \_\_\_\_\_ BCC \_\_\_\_\_ OTHER \_\_\_\_\_

## MCC Information

Reservation no.: \_\_\_\_\_ or Window time: 1730

Date of Booking: 4/27/2015 Booking Number: \_\_\_\_\_

## Other Booking Facility Information

(GEO, CCA, Juvenile Hall, State or County facility)

Facility: \_\_\_\_\_ Arrival date: \_\_\_\_\_ Temporary stay: **Yes** or **No**

## Hospitalized Defendant Information

Name of Medical Center: \_\_\_\_\_

Date of Hospital Admittance: \_\_\_\_\_  
Time: \_\_\_\_\_

Reason for Hospitalization: \_\_\_\_\_  
\_\_\_\_\_

Expected Date of Discharge (Approx. if known): \_\_\_\_\_