

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

2020 JUN 23 PM 3:51
CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 8:20-cr-206-T-60AEP

MUHAMMED MOMTAZ AL-AZHARI

18 U.S.C. § 2339B(a)(1)

26 U.S.C. § 5861(b)

26 U.S.C. § 5861(d)

INDICTMENT

The Grand Jury charges:

COUNT ONE

Beginning on an unknown date, but at least as early as on or about March 29, 2020, and continuing until on or about May 24, 2020, in the Middle District of Florida, the defendant,

MUHAMMED MOMTAZ AL-AZHARI,

knowingly attempted to provide material support and resources, namely personnel (including himself) and services, to a foreign terrorist organization, namely, the Islamic State of Iraq and al-Sham (“ISIS”), which at all relevant times was designated by the Secretary of State as a foreign terrorist organization pursuant to Section 219 of the Immigration and Nationality Act, knowing that ISIS was a designated foreign terrorist organization and that ISIS has engaged and was engaging in terrorist activity and terrorism.

In violation of 18 U.S.C. § 2339B(a)(1).

COUNT TWO

On or about May 24, 2020, in the Middle District of Florida, the defendant,

MUHAMMED MOMTAZ AL-AZHARI,

knowingly received and possessed a firearm, namely, a SilencerCo Osprey silencer bearing serial number OSP9M-5489, transferred to him in contravention of Chapter 53 of Title 26.

In violation of 26 U.S.C. §§ 5812, 5861(b), and 5871.

COUNT THREE

On or about May 24, 2020, in the Middle District of Florida, the defendant,

MUHAMMED MOMTAZ AL-AZHARI,

knowingly received and possessed a firearm, namely, a SilencerCo Osprey silencer bearing serial number OSP9M-5489, not registered to him in the National Firearms Registration and Transfer Record.

In violation of 26 U.S.C. §§ 5841, 5861(d), and 5871.

FORFEITURE

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of 18 U.S.C. §§ 981(a)(1)(C) and (G), 28 U.S.C. § 2461(c), and 26 U.S.C. § 5872(a).

2. Upon a conviction of a violation of 18 U.S.C. § 2339B(a)(1), as alleged in Count One of this Indictment, the defendant,

MUHAMMED MOMTAZ AL-AZHARI,

shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense; and pursuant to 18 U.S.C. § 981(a)(1)(G) and 28 U.S.C. § 2461(c), (a) all assets of the defendant, foreign or domestic; (b) all assets of the defendant acquired or maintained with the intent and for the purpose of supporting, planning, conducting, or concealing any Federal crime of terrorism; and (c) all assets of the defendant derived from, involved in, or used or intended to be used to commit any Federal crime of terrorism.

3. Upon a conviction of any or all of the violations alleged in Counts Two and Three of this Indictment, the defendant, **MUHAMMED MOMTAZ AL-AZHARI**, shall forfeit to the United States, pursuant to 26 U.S.C. § 5872 and 28 U.S.C. § 2461(c), any firearm involved in the commission of the offense.

4. The assets to be forfeited include, but are not limited to, the following property which was involved in the offenses:

- a. Approximately \$1,352.73 seized from Bank of America account number XXXXXXXX6523, held the name of Muhammed Alazhari;
- b. \$297.18 in United States currency from the person of Muhammed Momtaz Al-Zhari;
- c. \$300.00 in United States currency;
- d. A SilencerCo Osprey silencer, serial number OSP9M-5489;
- e. A Glock 17 pistol, serial number EZT996US, with accompanying magazines;
- f. A black knife in army green sheath;
- g. A Milwaukee insulation knife;
- h. A Milwaukee knife and black blade cover/sheath;
- i. A Razor Tactical red/black pocket knife;
- j. A DeWALT folding pocket knife;
- k. A black tactical stun gun;
- l. 82 rounds Ramset .22 caliber (Mastershot, Triggershot, Hammershot) powder loads;

- m. A small black crossbow (no make/no model);
- n. A Razor Tactical folding pocket knife;
- o. A black Under Armour backpack;
- p. A Walther UZI .22-caliber rifle, serial number W1002377;
- q. 26 rounds of .22 ammunition;
- r. A Butt Stock with green sling/strap;
- s. 44 rounds of Frontier Luger 9mm ammunition in Hornady; box;
- t. A SCCY Industries CPX-1 CB Pistol, serial number 492782;
- u. A Glock G-17 9mm pistol, no serial number;
- v. A suppressor (no make or model);
- w. An extended magazine;
- x. An Apple iPhone 6s, IMEI: 356141096454113; and
- y. An LG Premier Pro LTE, serial number GPLML413DCG8.

5. If any of the forfeitable assets described above, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty,

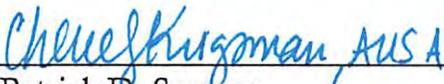
the United States of America shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

A TRUE BILL,



Foreperson

MARIA CHAPA LOPEZ
United States Attorney

By: 
for Patrick D. Scruggs
Assistant United States Attorney

By: 
Cherie L. Kringsman
Assistant United States Attorney
Chief, National Security and Cybercrime Section

FORM OBD-34

June 20

No.

UNITED STATES DISTRICT COURT
 Middle District of Florida
 Tampa Division

THE UNITED STATES OF AMERICA

vs.

MUHAMMED MOMTAZ AL-AZHARI

INDICTMENT

Violations: 18 U.S.C. § 2339B(a)(1)
 26 U.S.C. § 5861(b)
 26 U.S.C. § 5861(d)

A true bill,



Foreperson

Filed in open court this 23rd day
 of June 2020.

Clerk

Bail \$ _____