

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

SEALED  
INDICTMENT

- v. -

15 Cr.

ABDULLAH DEIBAN,  
FARIS NASSER KASSIM,  
MORAD NASSER KASSIM,  
a/k/a "BK,"  
NAGEAB SAEED,  
WALIDE SAEED,  
MOHOMED SAEED,  
HAMID MOSHREF,  
MOHAMED SALEM,  
MOHAMED ALMATHEEL, and  
FIKRI NAGI,

~~15 CRIM 621~~

S(i) 15 CRIM 554

Defendants.

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COUNT ONE

The Grand Jury charges:

THE SYNTHETIC CANNABINOIDS DISTRIBUTION SCHEME

1. From at least in or about September 2014, up to and including in or about September 2015, in the Southern District of New York and elsewhere, ABDULLAH DEIBAN, FARIS NASSER KASSIM, MORAD NASSER KASSIM, a/k/a "BK," NAGEAB SAEED, WALIDE SAEED, MOHOMED SAEED, HAMID MOSHREF, MOHAMED SALEM, MOHAMED ALMATHEEL, and FIKRI NAGI, the defendants, and others conspired to engage in a scheme to import, manufacture, and distribute massive quantities of smokeable synthetic

cannabinoids ("SSC"), containing controlled substances, throughout the New York City area and elsewhere.

2. ABDULLAH DEIBAN, FARIS NASSER KASSIM, MORAD NASSER KASSIM, a/k/a "BK," NAGEAB SAEED, WALIDE SAEED, MOHOMED SAEED, HAMID MOSHREF, MOHAMED SALEM, MOHAMED ALMATHEEL, and FIKRI NAGI, the defendants, were members of an international organization that trafficked, manufactured, and distributed SSC (the "Organization").

3. The Organization imported, manufactured, and distributed SSC by:

a. arranging for shipments of illegal synthetic compounds in powdered form containing controlled substances, such as AB-FUBINACA and XLR-11, from chemical manufacturers in China to the United States, using commercial delivery services;

b. retrieving the illegal synthetic compounds from various commercial delivery locations in New York City, including the Bronx, New York, and transporting them to various storage facilities, also located in New York City;

c. mixing the illegal synthetic compounds with chemical solvents, such as acetone, and/or flavoring additives, and spraying the resulting liquid mixture onto leafy materials, such as tea leaves, in at least one processing facility, located in the Bronx, New York;

d. bundling the resulting dried SSC product into retail packets bearing colorful logos and brand names such as "AK-47," "Blue Caution," "Green Giant," "Geeked Up," "Psycho," "Red Eye," and "Black Extreme," each containing between approximately three and six grams of product, and sometimes marked "not for human consumption," or "potpourri";

e. transferring the SSC retail packets in bulk quantities to wholesale distributors located in the New York City area and elsewhere;

f. delivering large quantities of SSC retail packets to owners and managers of more than 70 retail locations such as bodegas, delis, and convenience stores located within each of the five boroughs of New York City and elsewhere; and

g. selling the illegal SSC retail packets to individual customers for approximately \$5 per packet.

4. Between at least in or about September 2014 and in or about September 2015, the Organization imported at least 100 kilograms of illegal synthetic compounds, an amount sufficient to produce approximately 1,300 kilograms of dried SSC product, or approximately 260,000 SSC retail packets.

5. ABDULLAH DEIBAN, FARIS NASSER KASSIM, and MORAD NASSER KASSIM, a/k/a "BK," the defendants, were the principals responsible for the Organization's SSC manufacturing activities.

a. DEIBAN, FARIS NASSER KASSIM, and MORAD NASSER KASSIM arranged the importation of illegal synthetic compounds in powdered form from China to the United States via commercial delivery services.

b. DEIBAN, FARIS NASSER KASSIM, and MORAD NASSER KASSIM then arranged for the illegal synthetic compounds to be retrieved and transported to a processing facility, where they directed other co-conspirators to mix the illegal synthetic compounds with chemical solvents including acetone and/or flavoring additives and to spray the resulting liquid mixture onto tea leaves.

c. DEIBAN, FARIS NASSER KASSIM, and MORAD NASSER KASSIM organized and supervised the processing facility, where co-conspirators acting under their direction bundled the resulting dried SSC product into retail packets bearing colorful logos and brand names and arranged for the transfer of bulk quantities of the SSC retail packets to warehouses controlled by wholesale distributors.

6. NAGEAB SAEED, WALIDE SAEED, and MOHOMED SAEED, the defendants, were among the Organization's wholesale distributors.

a. NAGEAB SAEED, WALIDE SAEED, and MOHOMED SAEED were responsible for coordinating the distribution of the

retail SSC packets to more than 70 retail locations located within each of the five boroughs of New York City.

b. NAGEAB SAEED, WALIDE SAEED, and MOHOMED SAEED purchased bulk quantities of retail SSC packets from the Organization's manufacturers, prepared them for delivery, and organized their distribution to retail sellers by directing the Organization's transporters.

7. HAMID MOSHREF, MOHAMED SALEM, and MOHAMED ALMATHEEL, the defendants, were among the Organization's transporters. MOSHREF, SALEM, and ALMATHEEL were responsible for moving bulk quantities of SSC retail packets from warehouses controlled by NAGEAB SAEED, WALIDE SAEED, and MOHOMED SAEED to retail sellers throughout New York City.

8. FIKRI NAGI, the defendant, was one of the Organization's retail sellers. NAGI ordered large quantities of SSC retail packets from NAGEAB SAEED, WALIDE SAEED, and MOHOMED SAEED for resale at retail locations.

#### THE USE AND EFFECTS OF SSC

9. SSC are popular among teenagers and young adults. They are widely accessible because they are inexpensive and commonly sold at otherwise legitimate retail locations. The colorful logos used on the SSC retail packets and the flavors used, such as lime, strawberry, and blueberry, make SSC attractive to teenagers and young adults.

10. Physical effects of SSC include agitation, rapid heart rate, confusion, dizziness, nausea and vomiting, paranoia, panic attacks, and acute kidney injury. In addition, SSC products have inconsistent potencies, often contain more than one synthetic compound, and are sometimes laced with other toxic chemicals. In a recent two-month period, use of SSC resulted in 2,300 emergency room visits in New York State. Nationally, telephone calls to poison centers in the United States related to synthetic cannabinoid use between January and May 2015 increased 229% over the same period in 2014.

11. SSC may be particularly dangerous for individuals with existing psychological issues, causing worsening of previous psychotic symptoms including the emergence of command and paranoid auditory hallucinations.

#### STATUTORY ALLEGATIONS

12. From at least in or about September 2014, up to and including in or about September 2015, in the Southern District of New York and elsewhere, ABDULLAH DEIBAN, FARIS NASSER KASSIM, MORAD NASSER KASSIM, a/k/a "BK," NAGEAB SAEED, WALIDE SAEED, MOHAMED SAEED, HAMID MOSHREF, MOHAMED SALEM, MOHAMED ALMATHEEL, and FIKRI NAGI, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

13. It was a part and an object of the conspiracy that ABDULLAH DEIBAN, FARIS NASSER KASSIM, MORAD NASSER KASSIM, a/k/a "BK," NAGEAB SAEED, WALIDE SAEED, MOHOMED SAEED, HAMID MOSHREF, MOHAMED SALEM, MOHAMED ALMATHEEL, and FIKRI NAGI, the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

14. The controlled substances involved in the offense were (i) a quantity of N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide ("AB-FUBINACA"), a Schedule I controlled substance, and (ii) a quantity of 1-(5-Fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole ("XLR-11"), a Schedule I controlled substance, both in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

#### FORFEITURE ALLEGATION

15. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ABDULLAH DEIBAN, FARIS NASSER KASSIM, MORAD NASSER KASSIM, a/k/a "BK," NAGEAB SAEED, WALIDE SAEED, MOHOMED SAEED, HAMID MOSHREF, MOHAMED SALEM, MOHAMED ALMATHEEL, and FIKRI NAGI, the defendants, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property

constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offense, and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the offense alleged in Count One of this Indictment.

SUBSTITUTE ASSET PROVISION

16. If any of the above-described forfeitable property, 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 party;

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;

it is the intent of the United States, pursuant to Title 21,



United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



FOREPERSON

*Preet Bharara*

PREET BHARARA

United States Attorney

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(Title 21, United States Code, Section 846.)

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PREET BHARARA  
United States Attorney.

A TRUE BILL



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Sept. 10, 2015  
Foreperson.

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