

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- v. -

MUHAMMAD ASIF HAFEEZ,

a/k/a "Mohammad Asif Hafeez,"

a/k/a "Mohammad Asif Hafiz,"

a/k/a "Muhammed Asif Hafiz,"

a/k/a "Sultan,"

a/k/a "Baigan,"

Defendant.

- - - - - X

**SUPERSEDING INDICTMENT**

S7.14 Cr. 716 (VM)

**COUNT ONE**

The Grand Jury charges:

1. From at least in or about 2013, up to and including at least in or about January 2017, in Kenya, the United Kingdom, and elsewhere, and in an offense begun outside of the jurisdiction of any particular State or district of the United States, MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, whose point of entry into the United States is expected to be the Southern District of New York, Baktash Akasha Abdalla, a/k/a "Baktash Akasha" ("Baktash Akasha"), Ibrahim Akasha Abdalla, a/k/a "Ibrahim Akasha" ("Ibrahim Akasha"), Gulam Hussein, a/k/a "Hussein Shabakhash," a/k/a "Hadji Hussein," a/k/a

"Old Man" ("Hussein"), Vijaygiri Anandgiri Goswami, a/k/a "Vijay Goswami," a/k/a "Vicky Goswami" ("Goswami"), and others known and unknown, at least one of whom was first brought to and arrested in the Southern District of New York, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, Baktash Akasha, Ibrahim Akasha, Hussein, Goswami, and others known and unknown, would and did manufacture and distribute a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 959(a) and 960(a)(3).

3. The controlled substance that MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, conspired to manufacture and distribute, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the

coast of the United States from a place outside thereof, was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 960(b)(1)(A).

**Overt Acts**

4. In furtherance of said conspiracy and to effect the illegal object thereof, MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, Baktash Akasha, Ibrahim Akasha, Hussein, Goswami, and others known and unknown, committed the following overt acts, among others:

a. On or about March 28, 2014, Baktash Akasha met in Mombasa, Kenya, with two individuals who described themselves as representatives of a Colombian drug-trafficking organization (the "Colombian Organization"), but who were in fact confidential sources working at the direction and under the supervision of the Drug Enforcement Administration ("CS-1" and "CS-2"). During the meeting, which was audio- and video-recorded, and after being told that the Colombian Organization wanted to obtain a source of high-quality heroin for importation into the United States, Baktash Akasha told CS-1, in substance and in part, that he could supply any quantity of "one hundred percent" "white crystal," referring to pure heroin.

b. On or about September 19, 2014, Baktash Akasha, Ibrahim Abdalla, Hussein, Goswami, and a co-conspirator not named as a defendant herein ("CC-1"), among others, met with CS-1 in Mombasa, Kenya. During this meeting, which was audio-recorded:

i. Baktash Akasha said that the heroin supplier known as "The Sultan"---i.e., HAFEEZ---sent CC-1 as his representative.

ii. Goswami instructed CC-1 to provide a one-kilogram sample of heroin to CS-1.

c. On or about September 23, 2014, HAFEEZ spoke on the phone with Goswami and CS-1, who were both in Kenya at the time of the call with HAFEEZ, regarding the heroin transaction.

d. On or about October 14, 2014, Ibrahim Akasha gave CS-2 approximately one kilogram of heroin in Nairobi, Kenya.

e. On or about November 7, 2014, Ibrahim Akasha and a co-conspirator not named as a defendant herein ("CC-2") met with CS-1 and another confidential source working at the direction and under the supervision of the DEA ("CS-3") in Nairobi, Kenya. During that meeting, which was audio- and video-recorded, Ibrahim

Akasha and CC-2 delivered approximately 98 kilograms of heroin to CS-1 and CS-3.

(Title 21, United States Code, Sections 959(d) and 963 (2014); and Title 18, United States Code, Section 3238.)

**COUNT TWO**

The Grand Jury charges:

5. From at least in or about 2013, up to and including at least in or about April 2016, in Kenya, Mozambique, India, the United Kingdom, and elsewhere, and in an offense begun outside of the jurisdiction of any particular State or district of the United States, MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, whose point of entry into the United States is expected to be the Southern District of New York, Goswami, and others known and unknown, at least one of whom was first brought to and arrested in the Southern District of New York, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

6. It was a part and an object of the conspiracy that MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, Goswami, and others known

and unknown, would and did manufacture and distribute a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 959(a) and 960(a)(3).

7. The controlled substance that MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, conspired to manufacture and distribute, intending and knowing that such substances would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof, was 500 grams and more of mixtures and substances containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Section 960(b)(1)(H).

#### Overt Acts

8. In furtherance of said conspiracy and to effect the illegal object thereof, MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, Goswami, and others

known and unknown, committed the following overt acts, among others:

a. Beginning in or about 2015, after Goswami was released on bail conditions during pending extradition proceedings in Kenya relating to his provisional arrest on or about November 9, 2014, HAFEEZ and Goswami agreed to establish a methamphetamine factory in the vicinity of Maputo, Mozambique, in order to produce methamphetamine that could be distributed in, among other places, the United States.

b. On or about September 11, 2015, HAFEEZ sent electronic communications requesting information relating to the Chemical Abstracts Service (CAS) identification number for methamphetamine precursor chemicals, including ephedrine.

c. In or about April 2016, a co-conspirator not named as a defendant herein ("CC-4") traveled from Africa to India in order to coordinate the transportation of a multi-ton shipment of ephedrine for use in the methamphetamine factory in Maputo, Mozambique. CC-4 was forced to return, however, and the plan to obtain ephedrine from India was abandoned, after law enforcement authorities seized approximately 18 tons of ephedrine produced at

a factory in the vicinity of Solapur, India, including the multi-ton load of ephedrine that HAFEEZ and Goswami had planned to use to make methamphetamine in Mozambique.

(Title 21, United States Code, Sections 959(c) and 963 (2014); and Title 18, United States Code, Section 3238.)

**COUNT THREE**

The Grand Jury further charges:

9. From at least in or about March 2014, up to and including at least in or about November 2014, in Kenya, the United Kingdom, and elsewhere, and in an offense begun outside of the jurisdiction of any particular State or district of the United States, MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, who is expected to be first brought to and arrested in the Southern District of New York and whose point of entry into the United States is expected to be the Southern District of New York, aided and abetted the manufacturing and distribution of a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof.



10. The controlled substance that MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, aided and abetted the manufacturing and distribution of, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof, was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 960(b)(1)(A).

(Title 21, United States Code, Sections 959(a) and 959(c) (2014); and Title 18, United States Code, Sections 3238 and 2.)

FORFEITURE ALLEGATION

11. As a result of committing the controlled substance offenses charged in Counts One, Two, and Three of this Superseding Indictment, MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of said offenses, and any and all property used, or intended to be used, in any manner or part, to commit, and to facilitate

the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Assets Provision

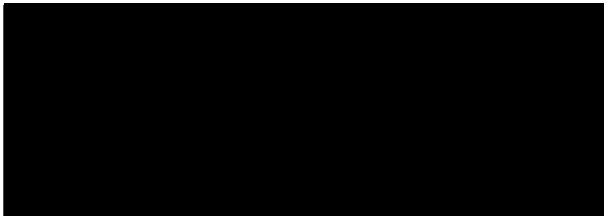
12. If any of the above-described forfeitable property, as a result of any act or omission of MUHAMMAD ASIF HAFEEZ, a/k/a "Mohammad Asif Hafeez," a/k/a "Mohammad Asif Hafiz," a/k/a "Muhammed Asif Hafiz," a/k/a "Sultan," a/k/a "Baigan," the defendant:

- 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,

it is the intent of the United States, pursuant to Title 21, United States Code, Sections 853(p), to seek forfeiture of any other

property of the defendant up to the value of the above forfeitable property.

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



*Joon H. Kim*

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JOON H. KIM  
Acting United States Attorney

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SUPERSEDING INDICTMENT

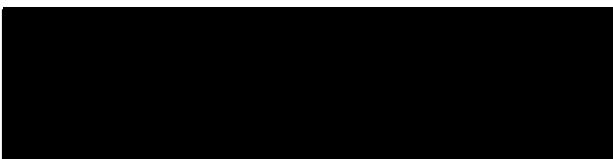
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(21 U.S.C. §§ 959(a) and 963 (2014); and  
18 U.S.C. §§ 3238 and 2.)

JOON H. KIM

Acting United States Attorney.

A TRUE BILL

 Foreperson.

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