

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

United States of America)

v.)

(1) David Wright a/k/a Dawud Sharif Wright,)
a/k/a Dawud Sharif Abdul Khaliq, and)
(2) Nicholas Rovinski a/k/a Nuh Amriki,)
a/k/a Nuh Andalusi)

Case No.

15-1085-DLC

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 2015-June 2, 2015 in the county of Middlesex in the District of Massachusetts, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2339B

Wright and Rovinski did knowingly conspire with each other, with Ussamah Abdullah Rahim, and with unknown conspirators to provide material support and resources (as that term is defined in 18 U.S.C. § 2339A(b)(1)), to wit, personnel and services to a foreign terrorist organization, namely the Islamic State of Iraq and the Levant, ISIL, which has been designated by the Secretary of State as a foreign terrorist organization pursuant to Section 219 of the Immigration and Nationality Act, in violation of 18 U.S.C. § 2339B.

This criminal complaint is based on these facts:

See Affidavit of Special Agent J. Joseph Galietta, Federal Bureau of Investigation

Continued on the attached sheet.



[Handwritten Signature]
Complainant's signature

Special Agent J. Joseph Galietta, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/12/2015

[Handwritten Signature]
Judge's signature

City and state: Boston, MA

Magistrate Judge Donald L. Cabell

Printed name and title

AFFIDAVIT OF FBI SPECIAL AGENT JOSEPH GALIETTA

I, J. Joseph Galietta, being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), and have been so employed for approximately 9 years. From 2006 to October 2014, I was assigned to the FBI's Maryland/Delaware Joint Terrorism Task Force. Since October 2014, I have been assigned to FBI's Boston's Joint Terrorism Task Force, which is responsible for investigating offenses related to international and domestic terrorism. Prior to my employment with the FBI, I was employed as a police officer with the Richmond, Virginia Police Department for approximately 3 years.

2. In my capacity as a special agent, I have received training and gained experience in search and seizure, the use of confidential human sources, electronic and video surveillance, international and domestic terrorism, drug offenses, violent crimes, computer crimes, money laundering, fraud and various other crimes. As a result of my training and experience, I am familiar with the tactics, methods and techniques of terrorist networks and their members, including the use of computers, cell phones, social media, email, and the internet in connection with criminal activity. I have executed numerous affidavits in support of federal search warrants and criminal complaints and have participated in the execution of numerous search warrants.

3. Along with other agents, I have been investigating David Wright a/k/a Dawud Sharif Wright a/k/a Dawud Sharif Abdul Khaliq ("WRIGHT"), age 25, of Everett, Massachusetts; Nicholas Rovinski a/k/a Nuh Amriki a/k/a Nuh al Andalusi ("ROVINSKI"), age 24, of Warwick, Rhode Island; and Usaamah Abdullah Rahim ("Rahim"), age 26, who resided in Roslindale, Massachusetts until his death at approximately 7:00 a.m. on June 2, 2015.

WRIGHT and Rahim were related; Rahim was WRIGHT's uncle. I have personally participated in this investigation. The information in this affidavit is based upon my training and experience, my personal knowledge of this investigation, and information provided to me by other agents and law enforcement officials who have assisted in this investigation and have experience investigating international terrorism matters. This affidavit is submitted for the limited purpose of establishing probable cause in support of the issuance of a criminal complaint and arrest warrant. Therefore, it does not set forth each and every fact that I have learned during the course of this investigation. All conversations and statements described in this affidavit are related in substance and in part only unless otherwise indicated. All references to transcript excerpts from recorded conversations are from preliminary transcripts of those conversations.

4. I am submitting this affidavit in support of a criminal complaint charging WRIGHT and ROVINSKI with knowingly conspiring to provide material support and resources to a foreign terrorist organization in violation of 18 U.S.C. § 2339B.

5. As described in detail below, I have probable cause to believe, and do in fact believe, that beginning on a date unknown but not later than in or about May 2015 and continuing to June 2, 2015, WRIGHT and ROVINSKI did knowingly conspire with each other, with Rahim, and with unknown conspirators to provide material support and resources (as that term is defined in 18 U.S.C. §2339A(b)(1)), to wit, personnel and services to a foreign terrorist organization, namely the Islamic State of Iraq and the Levant ("ISIL"), which has been designated by the Secretary of State as a foreign terrorist organization pursuant to Section 219 of the Immigration and Nationality Act.

RELEVANT LEGAL AUTHORITY

6. Title 18, United States Code, Section 2339B makes it illegal for anyone to conspire to provide material support or resources to a designated foreign terrorist organization.

For purposes of Sections 2339B, "material support or resources" is defined as:

any property, tangible or intangible, or service, including currency, monetary instruments or financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who may be or include oneself) and transportation, except medicine or religious materials

18 U.S.C. §2339A(b)(1).

SUMMARY OF INVESTIGATION

7. As discussed below, this investigation has revealed that, beginning at a date unknown but no later than May 2015, WRIGHT, ROVINSKI, and Rahim conspired to commit attacks and kill persons inside the United States, which they believed would support ISIL's objectives.

8. In furtherance of that plan, WRIGHT and Rahim conspired to attack and behead a person referred to herein as Intended Victim-1, a resident of New York, who had organized a conference in Garland, Texas on May 3, 2015, featuring cartoons depicting the Islamic Prophet Muhammad. Physical depictions of Prophet Muhammad are regarded as deeply offensive by ISIL. The conference was attacked by two men, and a security guard was wounded before law enforcement shot and killed the attackers. Two days later, on May 5, 2015, ISIL publicly condemned Intended Victim-1 and called for her "slaughter." Between May 25 and May 27, 2015, Rahim ordered from Amazon.com a total of three large fighting knives, all of which were delivered to Rahim's residence between May 27 and May 30, 2015. On May 26, 2015, in a

lawfully recorded conversation, WRIGHT and Rahim spoke guardedly about Rahim's receipt of the first of the knives, spoke derisively about Intended Victim-1 as a person who had insulted the Prophet, and laughed heartily at an apparent reference to beheading. After additional guarded communications between WRIGHT and ROVINSKI setting up a meeting, WRIGHT and Rahim drove to Rhode Island early on Sunday, May 31, 2015, picking up ROVINSKI at his residence in Warwick, Rhode Island, and driving to a Warwick beach. In an apparent effort to ensure that their conversations would not be overheard, they spoke for more than two hours on a damp, deserted beach. Both WRIGHT and ROVINSKI later independently admitted to law enforcement agents that, at the meeting on the beach, they discussed plans to behead Intended Victim-1. (See ¶¶ 42-49, below). WRIGHT and Rahim then drove ROVINSKI home and returned to the Boston area.

9. At approximately 5:00 a.m. on Tuesday, June 2, 2015, Rahim called WRIGHT and advised him, in another guarded conversation, that he had changed plans and that he no longer planned to conduct the attack in New York. Rahim advised that he wished to "meet Allah" sooner and to "leave his worldly life." Rahim advised WRIGHT that, instead, he intended to attack "those boys in blue" (meaning police officers) locally in Massachusetts either that day or the next day. WRIGHT encouraged Rahim to be steadfast in his intentions, noting that "this is what we all have spoken about, it's been a year, it's been almost a year since I first brought it to your attention, and since it first was brought to my attention." In the course of this conversation, Rahim made several statements indicating his awareness that he might die during the attack. WRIGHT urged him to first wipe his laptop computer and to destroy his phone so that they could not be searched by law enforcement, and urged him to make a will. When law enforcement later executed a search warrant at Rahim's home, they found a handwritten will

signed by Rahim on a desk in the living room and in Rahim's bedroom, they found a running laptop computer, which was in the process of re-installing software that would overwrite the contents of Rahim's computer once completed.

10. Shortly after this conversation, on June 2, 2015, Rahim was on a public parking lot in Roslindale, when he was approached by Boston Police Officers and FBI Special Agents. Rahim took out one of the knives he had purchased from Amazon.com when he saw the officers and agents. The officers told Rahim to drop his weapon and Rahim responded, "you drop yours." Rahim then moved towards the officers and agents while brandishing his weapon, and he was shot by law enforcement.

A. Background: The Islamic State of Iraq and the Levant

11. On October 15, 2004, the United States Secretary of State designated al-Qa'ida in Iraq, then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization 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 May 15, 2014, the United States Secretary of State formally amended the existing designation of al-Qa'ida in Iraq as a Foreign Terrorist Organization to add the alias Islamic State of Iraq and the Levant 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 (all collectively referred to herein as "ISIL"). In June 2014, ISIL renamed itself the "Islamic State" and has declared the establishment of a "Caliphate," which is an Islamic state led by a group of religious authorities under a supreme leader, the Caliph. The term "Islamic State" has been widely condemned, with the United Nations, various governments, and mainstream Muslim

groups refusing to use the term. The United States government continues to refer to the group officially as ISIL.

12. The State Department has reported that, among other things, ISIL has committed systematic abuses of human rights and violations of international law, including indiscriminate killing and deliberate targeting of civilians, mass executions and extrajudicial killings, persecution of individuals and communities on the basis of their identity, kidnapping of civilians, forced displacement of Shia communities and minority groups, killing and maiming of children, rape, and other forms of sexual violence. According to the State Department, ISIL has recruited thousands of foreign fighters to Iraq and Syria from across the globe and has leveraged technology to spread its violent extremist ideology and to incite others to commit terrorist acts.

13. Beginning in 2014, using social media, ISIL has called for attacks against citizens—civilian and military—of the countries participating in the United States-led coalition against ISIL. For instance, on September 21, 2014, ISIL released a speech of Abu Muhammed Al-Adnani, a senior leader and official spokesman of ISIL. In this speech, entitled, “Indeed Your Lord is Ever Watchful,” Al-Adnani calls on Muslims who support ISIL from around the world to “defend the Islamic State” and to “rise and defend your state from your place where you may be.” Additionally, over the last year, ISIL has been distributing beheading videos to demonstrate, among other things, a method of killing people who are believed to be non-believers, or infidels. More recently, using social media, ISIL has been encouraging individuals to kill specific persons within the United States.

B. The Plan to Provide Material Support to ISIL through Acts of Violence

14. According to statements made by WRIGHT during his interview by FBI agents on June 2, 2015, WRIGHT met ROVINSKI approximately one year ago through Facebook and the two began communicating.

15. The investigation has revealed that, for at least the past six months, ROVINSKI has been posting comments on social media platforms, including YouTube and Twitter, supportive of ISIL. ROVINSKI has two YouTube/Google+ accounts, one using his English name (Nicholas Rovinski) and another using an Arabic name, Ghareeb Khafifa (ROVINSKI YouTube/Google+ account #1 and ROVINSKI YouTube/Google+ account #2, respectively). Using YouTube Account #1, ROVINSKI uploaded and included in his list of favorites several videos about making weapons and ISIL jihadi “nasheeds” or chants.

16. For at least two months, ROVINSKI has viewed videos about making weapons and uploaded them to his YouTube account. For instance, based upon my review of ROVINSKI’s YouTube/Google+ account #1, ROVINSKI has included a video entitled, “Making a Machete with No Power Tool – Survival Prepper, Beginning Blade Makers,” and two jihadi nasheeds in his list of favorite videos. I have reviewed the “Making a Machete” video and it provides instruction on how to build an “18 inch mini-machete” that according to the narrator could fit in a “backpack.”

17. Both of the jihadi nasheed videos in ROVINSKI’s YouTube/Google+ Account #1 contain Arabic songs but one contains English subtitles. The picture associated with the first video (without the English subtitles) on ROVINSKI’s account shows a portion of a black flag commonly utilized by ISIL and Al Qaeda. I have reviewed the second video with the English subtitles and it appears to be an ISIL propaganda video calling individuals to sacrifice their lives

and become martyrs to ensure the victory of ISIL. Specifically, the video instructs individuals, “So grant your blood for victory will not return except by the blood of the martyrs.”

18. Based on my review of public-source documents, my conversations with other FBI agents, and my review of FBI reports, I have learned that, on or about May 3, 2015, an event was held at a conference center in Garland, Texas, at which participants in the event presented cartoons depicting the Islamic Prophet Muhammad. Intended Victim-1 has been publicly described as the organizer of the event. Two men, later identified as Elton Simpson and Nadir Hamid Soofi, approached the conference center in a car and began firing with assault rifles at a police car that was providing security for the event (the “Garland Attack”). The shots wounded a security guard, but a nearby police officer returned fire, killing Simpson and Soofi.

19. On May 5, 2015, ISIL used a website called justpasteit.com to post a call to “slaughter” Intended Victim-1. Based upon a law enforcement interview of WRIGHT on June 2, 2015, WRIGHT was aware that ISIL had issued public statements that Intended Victim-1 should be found and beheaded.

20. ROVINSKI may also have been aware of the ISIL call for revenge, as he soon thereafter posted comments supportive of ISIL and attacks in the United States on YouTube Account #2. Based upon my review of the YouTube/Google+ Account #2, two days after the ISIL call for an attack on Intended Victim-1, on May 7, 2015, ROVINSKI posted comments on a video excerpt of a debate originally broadcast on Fox News entitled “[Intended Victim-1] vs Imam Anjem Choudary on Fox News” and referred to Intended Victim-1 as a “kafir.” I believe that by referring to Intended Victim-1 as a “kafir” in this context, ROVINSKI indicated that she was an infidel. Six days later using YouTube/Google Account #2, ROVINSKI further indicated his view that innocent Americans should die. On May 13, 2015, shortly after an Amtrak train

derailed in Philadelphia killing seven people, ROVINSKI commented on the video of the crash, “Whoever crashed the train deserves a medal!”

21. At some point, ROVINSKI, WRIGHT, and Rahim, apparently motivated by ISIL, formulated a plan to kill Intended Victim-1 in New York.

22. Records obtained from Amazon.com show that, on or about May 25, 2015, Rahim purchased an Ontario Spec Plus Marine Raider Bowie fighting knife (“Marine fighting knife”) and a device used to sharpen knives. The Marine fighting knife Rahim purchased is 15 inches long when opened, contains a 9.75” blade, and weighs 22.4 ounces.

23. On or about May 26, 2015, Rahim called WRIGHT. During the call, which was lawfully recorded:

a. Rahim advised WRIGHT that “I just got myself a nice little tool. You know it’s good for carving wood and like, you know, carving sculptures . . . and you know . . .” Wright and Rahim then both began laughing. I believe that when Rahim said “nice little tool” that was “good for carving,” he was referring to the Marine Raider Bowie fighting knife that he had purchased the previous day.

b. In a guarded conversation, Rahim discussed with WRIGHT his plan to kill a person whom he identified as someone who had insulted “our noble . . . Messenger of Allah, you know,” to which WRIGHT responded, “make things more interesting and fun.” At a later point in the conversation, WRIGHT referred to Imam Anjem Choudary, described above. WRIGHT recalled the debate on Fox-TV between a woman and Choudary, in which Choudary had told the person that “pig is too good of a word for you. Even the pig worships Allah. He’s like you- she should be tried in the Shari’a court, and if she’s found guilty, she should be - the capital punishment should be inflicted upon her. I was like yo! He – he went in. He didn’t waste

any time. And she said, she's like I'm stopping...I know you. See this ain't your cut no, but you're not gonna interrupt me. You don't say I know how you handle your women back wherever. You're not going to do that here. Here we have a different system. Blah, blah, blah. Like, oh, please." Rahim responded, "Oh, man, I just, I can't wait, you know." From the context of this conversation, I believe that the woman in the cited interview is Intended Victim-1.

c. In the same conversation, WRIGHT discussed the importance of speaking guardedly about "certain stuff." WRIGHT went on to tell Rahim that he had suspected that an unnamed individual present at a local Boston mosque had been an "agent provocateur," because he had been "saying a lot of crazy things that are inciteful [sic] that people don't just come out saying." Rahim agreed. WRIGHT went on to say, "It's like imagine, imagine you know the level of secrecy when speaking about certain stuff and then someone runs up in there trying [IA] saying the craziest, rachitest [sic] thing. It's like ok you are full of crap. We are not listening to you. You are insane."

d. Elsewhere in the same conversation, WRIGHT told Rahim something was "like thinking with your head on your chest." Both men then burst out laughing. Based upon my training, experience, and involvement in this investigation, I believe this is a reference to the practice of ISIL to behead targets and place their heads on their chests in propaganda videos.

24. On or about Wednesday, May 27, 2015, WRIGHT called ROVINSKI. During this cryptic conversation, which was recorded, they talked about their upcoming meeting. Among other things, WRIGHT stated, "On the bigger scale, it's gonna be some heavy stuff, after this milestone is obtained, Allah willing." ROVINSKI responded, "Like I said, I've been wanting to meet up with you to discuss some important aspects that I think you might, you might enjoy. So." WRIGHT then stated, "Oh, that sounds so wonderful."

25. Less than one minute after concluding his conversation with ROVINSKI, WRIGHT sent the following text message to Rahim:

WRIGHT: Just got off the phone with brother nub@
Nuh omg@
He may wanna come and meet up on Friday@
He said he will let me know around 8 or 9 am Friday
he wishes to speak on some juiciness

Rahim: Lol

As indicated below, ROVINSKI told law enforcement agents when he was interviewed that he had changed his first name to “Nuh” two years ago.

26. On or about Wednesday, May 27, 2015, before the Marine Fighting Knife was delivered to Rahim, an FBI Special Agent Bomb Technician intercepted the package and x-rayed it and determined it contained a large knife and knife sharpener tool. Shortly thereafter, FBI agents watched as the package containing the knife and the sharpener was delivered to Rahim’s address.

27. Records obtained from Amazon.com, show that, on or about Wednesday, May 27, 2015, Rahim purchased a second Marine fighting knife and an Ontario Knife SP6 Spec Plus Fighting Knife 8325 (“SP6 Spec Plus Fighting Knife”). The SP6 Spec Plus Fighting Knife Rahim purchased is 13 inches long and has an eight inch blade. On Saturday, May 30, 2015, based upon records from Amazon.com, these two additional knives were delivered to Rahim’s residence.

28. On Thursday, May 28, 2015, Rahim sent a text message confirming with WRIGHT that they would be meeting on Sunday, May 31, 2015 with ROVINSKI.

29. On Thursday, May 28, 2015, ROVINSKI sent a text message to WRIGHT in which he stated “So inspired akhi (Arabic word meaning brother) for the future.” On Thursday,

May 28, 2015, ROVINSKI sent a text message to WRIGHT in which he asked him, “Are you able to acquire transport?” WRIGHT responded, “In shaa Allah Sunday,” which translated from Arabic means “God willing Sunday.”

30. On Friday, May 29, 2015, WRIGHT and ROVINSKI had a telephone conversation almost two hours long, which was lawfully recorded. Among other things, during this conversation, WRIGHT praised ISIL extensively, and decried its critics, and discussed “another draw Muhammad cartoon contest.” To the latter, ROVINSKI responded, “That’s not gonna end well.” WRIGHT also complained at length about the law prohibiting material support to foreign terrorist organizations:

[I]t’s very general and material support says that anyone providing a physical body, meaning if you’re going over there, providing a physical body, or you’re providing wealth, money or you’re providing arms, weaponry, this is considered material support and you could be charged. However,...they made it so general now, where this is why they’ve been arresting so many people. They’ve been arresting them because once they read that they intend on going over to the State, they arrest them. They made it so general now where they can manipulate and get you...on material support just for speaking...positively about this...

In context, I believe that “the State” refers to ISIL, also known as the Islamic State. Apparently referring to the Muhammad cartoon drawing convention organized by Intended Victim-1, WRIGHT complained that “[f]reedom of speech was never created so people can pretty much, can go around and draw cartoons and...” ROVINSKI agreed, stating “this country is messed up from its founding days.”

31. Additionally, WRIGHT and ROVINSKI cautiously discussed the reach of the material support laws. In that context, having just referred to the need for “discretion” in discussing certain topics, ROVINSKI stated that “the one person that I...had a bond with is actually not here anymore. He’s, let’s just say he’s overseas, OK?” WRIGHT responded, “Ah, OK, so he went on vacation?” ROVINSKI answered, “Yeah” and they both laughed.

ROVINSKI then stated that his friend overseas had “some plans in the works” and discreetly stated, “Yeah. Let’s just keep it at that for now, and I’ll go in some more detail Allah willing when we meet.” WRIGHT responded, “Yeah, that’s cool.” I believe “going on vacation,” a phrase which WRIGHT uses repeatedly in conversations with Rahim, is a reference to committing violent jihad or engaging in acts of physical violence against non-Muslims. In this lengthy, frequently coded, conversation, WRIGHT also repeatedly expressed his concerns about surveillance and intelligence gathering activities of the government.

32. On Saturday, May 30, 2015, WRIGHT sent a text message to Rahim indicating that he had spoken with ROVINSKI and they have a lot to talk about.

33. Early on the morning of Sunday, May 31, 2015, WRIGHT, ROVINSKI and Rahim met on a deserted beach in Rhode Island to discuss their plans. Despite the weather being cloudy, cool, and damp, the three men spoke on the beach for more than two hours. As described below, ROVINSKI and WRIGHT have both admitted to FBI agents, in separate interviews, that these plans included the beheading of Intended Victim-1.

34. Later in the day on Sunday, May 31, 2015, ROVINSKI sent text messages to WRIGHT in which he assured WRIGHT that he didn’t tell his brother about the “plans” and he was using discretion. (ROVINSKI lives with his mother and his biological brother in Rhode Island.) WRIGHT responded, “None should know of these plans unless they are proven trustworthy and have given bayah to the khikafah.” Based upon my training, experience, and involvement in this case, I believe that WRIGHT meant to use the word “khilafa” rather than “khikafah” in this text message. I know that in this context persons that “have given bayah to the khilafa” means individuals that have pledged their allegiance to “the Caliphate,” which is a reference to ISIL.

35. At approximately 5:00 a.m. on Tuesday, June 2, 2015, Rahim called WRIGHT. Rahim told WRIGHT that he had changed plans and that he no longer planned to commit an attack in New York. Instead, Rahim told WRIGHT that he was going to “go after” the “boys in blue,” which I believe to be a reference to police officers. Rahim also made several statements that, in my judgment, revealed his awareness that the attack might result in his own death. During this telephonic conversation, which was recorded, the following statements, among other things, were made:

Rahim: And, ah, but I can't wait that long, I can't wait that long man.

Wright: Are you, are you trying to figure out where, are you trying to go to New York?

Rahim: No.

Wright: You are not, I'm trying to understand, wait, you are not trying to go to New York.

Rahim: No.

Wright: Oh, oh wait a minute, oh ah, you are going to be, ah, you're attempting to go on vacation I see.

Rahim: Yeah, I'm going to be on vacation right here in Massachusetts...I'm just going to ah go after them, those boys in blue. Cause, ah, it's the easiest target and, the most common is the easiest for me...

As noted above, based upon my training, experience, and involvement in this case, I believe that “going on vacation,” a phrase frequently used by WRIGHT, refers to committing violent jihad.

36. During this same conversation, WRIGHT went on to caution Rahim that, while his contemplated actions might result in his being “called back” to Allah, which he (WRIGHT)

referred to as a “very beautiful” thing, he (Rahim) should have the “best preparation going on, going on vacation” and that he could be “derailed or picked off before [he] got close enough.”

37. WRIGHT later sought confirmation that Rahim had, in fact, changed plans from their prior discussions:

WRIGHT: Oh, wait a minute...I just want to understand, so you say, so you're not, ah, you're not going for what we talked about before, you are talking about something different.

Rahim: No, it's going to be local.

WRIGHT: Oh, oh, dang them juicy necks is intense. Dang, Subhan Allah *Glory be to Allah. Glory be to Allah*¹....Dang it, I feel, I feel, I feel so left out.

38. Additionally, during this conversation, Rahim revealed to WRIGHT that he planned to act either on that day (June 2) or the following day (June 3). In response, WRIGHT advised him to prepare his will and leave “his possessions” to a named individual. WRIGHT also encouraged Rahim to follow through with his plan and “remain firm,” noting that “this is such a ... beautiful, beautiful moment, such a beautiful moment in time....” WRIGHT then had this exchange with Rahim:

WRIGHT: And remember, ah, that your heart is prepared for two things. One is...as of a victory and the other one being martyr cause...Allah may empower you for one and not with the other, so you have to be prepared for that....If it's the second one that you are seeking because we must put all our effort, for the objective, for the goal not to just, you know, be succumb to that [sic] but for the goal.

Rahim: No, my, my goal since when I called you is ah, ah, you know I just want to meet Allah because I know that...the Akhira (*afterlife*) that is better than this Dunya (*Worldly life*) and, uhm, since Jihad is a way out and it's a way to be with Allah and to get out of this Dunya (*Worldly life*), you know, maybe to be , to be amongst the company of the righteous and because it's... in this era right now and...it's not something random and I've already gave my Bay'a

¹Words in italics were originally said in Arabic and translated into English.

(Allegiance) so it's not a random vigilante attack. It is what it is and I have my bases covered.

WRIGHT: And how good is that then you must, you must assume force in this reality, um, and have, and have Tawakal (*rely*) on Allah and do, do what must be done. This is a reality, this is what we all have spoken about, it's been a year, it's been almost a year since I first brought it to your attention, and since it first was brought to my attention. So, uhm, Alhamdulillah (*Praise be to Allah*) for that reality....

In his interview with FBI agents on June 2, 2015, WRIGHT confirmed that Rahim had pledged allegiance to ISIL. He told the agents that Rahim had given bayah to Abu Bakr al-Bagdahi, the "imir" of ISIL.

39. After discussing with Rahim the plan to attack police officers, WRIGHT directed Rahim to delete information from, and destroy, his smartphone and wipe his laptop computer.

Specifically, with regards to Rahim's phone, WRIGHT instructed Rahim:

make sure also, very important, make sure that ah, at the moment that you decide to that you ah, delete, you delete ah, from your phone or you break it apart. Throw it down to the ground... Get rid of it, before anybody gets it; make sure it's completely destroyed.

Because, at the scene, at the scene, CSI will be looking for that particular thing and so dump it, get rid of that. At the time you are going to do it, before you reach your destination you get rid of it.

Earlier in the conversation, WRIGHT had encouraged Rahim to "completely wipe out everything" on his laptop computer "to its factory setting." Based upon my training, experience, and involvement in this investigation, I believe that "CSI" refers to law enforcement, thus indicating WRIGHT's belief that law enforcement would be conducting an investigation of Rahim's actions. I believe that WRIGHT's reference to the fact that law enforcement would be looking for "that particular thing" refers to some especially sensitive information, document, or thing to be found on Rahim's smartphone.

40. Shortly after this conversation, on June 2, 2015, Rahim was on a public parking lot in Roslindale, when he was approached by Boston Police Officers and FBI Special Agents. Rahim took out one of the knives he had purchased from Amazon.com when he saw the law enforcement officers and agents. The officers told Rahim to drop his weapon and Rahim responded, “you drop yours.” Rahim then moved towards the officers while brandishing his weapon, and was shot by law enforcement.

41. Approximately 30 minutes after Rahim was shot, WRIGHT sent a text message to ROVINSKI, which read in part, “An emergency took place this morning.”

42. On June 2, 2015, agents of the FBI interviewed WRIGHT shortly after Rahim was shot. The agents advised WRIGHT of his Miranda rights and WRIGHT waived his rights. During this interview, WRIGHT advised the agents, among other things, that he believes the actions of ISIL, including its attacks on civilians such as the well-publicized burning of a Jordanian pilot, are justified. WRIGHT indicated that he had introduced Rahim to ISIL and persuaded him that ISIL’s statements were supported by religious scholars and the Koran. Additionally, during this interview, the agents asked WRIGHT about what had transpired at the meeting on the beach. According to WRIGHT, Rahim told ROVINSKI and WRIGHT that he was going to behead Intended Victim-1 in accordance with ISIL’s “fatwah,” ISIL’s public pronouncement to kill Intended Victim-1. WRIGHT indicated that he agreed with Rahim’s plan and supported it but he (WRIGHT) had decided to take a different path. WRIGHT asserted to the agents that he intended to pursue the scholarly path while Rahim intended to join the fight. WRIGHT further told the agents that after ISIL had issued the fatwah to kill Intended Victim-1, Rahim had purchased three knives to fulfill his “bayah,” or obligation to ISIL. WRIGHT,

however, had initially suggested to the agents that Rahim had merely purchased the knives for self-defense.

43. Additionally, during the interview on June 2, 2015, WRIGHT told the agents among other things, that he had spoken to Rahim that morning before Rahim's confrontation with law enforcement. According to WRIGHT, during this conversation, Rahim revealed to WRIGHT that his (Rahim's) plans had changed and that he intended to take action to further the cause. WRIGHT told the agents that, although Rahim was vague about his new intended target, WRIGHT knew Rahim wanted to cause harm to a police officer and that Rahim intended to die as a "Shaheed," a martyr. WRIGHT advised the agents that as a result, during this conversation with Rahim, WRIGHT had asked Rahim whether he had created a will. WRIGHT claimed to the agents that while he knew Rahim's attack plans had changed on June 2, he was not part of the evolution.

44. With regard to ROVINSKI, WRIGHT told the agents that ROVINSKI was also supportive of ISIL and that ROVINSKI had discussed the possibility of going overseas to fight for ISIL.

45. On June 2, 2015, agents of the FBI also interviewed ROVINSKI. ROVINSKI waived his Miranda rights and agreed to speak to the agents. Among other things, ROVINSKI told the agents that he converted to Islam two years ago and was drawn to the teachings of the ISIL because they represent the most pure and honest form of the religion. (Although ROVINSKI used the term "Islamic State" during his interview, I refer herein to ISIL, which is the term the United States government generally uses for the so-called Islamic State.) At that time, he changed his name to "Nuh Amriki" in order that fellow ISIL "brothers" would more easily recognize him and be comfortable interacting with him. ROVINSKI told the agents that

he believes that Muslims who are non-violent or who did not follow the call to jihad, are not true adherents to the word of Allah. In his opinion, violent resistance and aggression against “crusader governments,” such as the United States and United Nations which are killing innocent Muslims are justified.

46. During this interview, ROVINSKI expressed his support for ISIL’s actions. He told the agents that he fully supported the recently publicized acts of ISIL fighters in the Middle East such as beheadings and military attacks on forces who oppose ISIL. ROVINSKI stated that the beheadings conducted by ISIL and posted on the internet and television were both warnings and a method of warfare. He stated that he feels that he is “at war” with those who oppose ISIL and will not submit to the establishment of an Islamic State in the United States. He also indicated that he is prepared to fight anyone who is an enemy of ISIL, including Americans if necessary, to accomplish ISIL’s ultimate goal(s).

47. ROVINSKI claimed that all people will be brought under the rule of ISIL, and that they would have three options: (1) convert to the true faith of Islam and live under sharia law; (2) pay a “Jizya” tax or fee to live under the “protection” of the Islamic regime as non-Muslims; or (3) be put to death. He stated that even his family members, who are non-Muslims, would be required to live within those parameters, and that, if they were to refuse, they must be killed.

48. In addition, ROVINSKI told the agents that he had met WRIGHT and Rahim at his residence and then on a beach in Warwick, Rhode Island on Sunday, May 31, 2015. According to ROVINSKI, while on the beach, the three men discussed various aspects of Islam and plans they were making to attack enemies of Islam. ROVINSKI initially claimed to be ignorant of any specific plan concerning a proposed target, but later stated that they talked about

a plan to track and confront a woman in New York City and ultimately behead her. ROVINSKI further claimed to the agents that he could not remember the female target's name but stated that, following the meeting at the beach, he had researched her. The agents asked ROVINSKI about each individual's role in the attack plans. In response, ROVINSKI claimed that he was unsure what specific tasks he, Rahim, and WRIGHT would undertake but that they would all be involved in achieving the intended result. ROVINSKI further advised the agents that several knives had been obtained by WRIGHT and Rahim for use during the New York plan but claimed he had never seen them. The agents asked ROVINSKI about the ultimate goal for the New York plan. In response, ROVINSKI laughed and replied, "I think you know what it was." Additionally, ROVINSKI told the agents that he, WRIGHT, and Rahim intended to use methods such as "guerilla tactics" to evade capture once the act was completed. ROVINSKI recalled that WRIGHT had stated that the "end of days" was approaching.

49. Lastly, ROVINSKI stated that he would provide any kind of assistance that WRIGHT and Rahim needed. ROVINSKI further told the agents that he was willing to provide "material support for a broad spectrum of acts" to be completed by WRIGHT and Rahim or any other person in the name of ISIL in furtherance of establishing "the Caliphate." ROVINSKI advised the agents that he would provide support to any ISIL member upon request.

CONCLUSION

50. Based on the information described herein, I have probable cause to believe, and do in fact believe that beginning on a date unknown but no later than in or about May 2015 and continuing until June 2, 2015, WRIGHT and ROVINSKI did knowingly conspire with Rahim and unknown conspirators to provide material support and resources, to wit, personnel and services, to ISIL, a foreign terrorist organization.





J. JOSEPH GALIETTA
Special Agent
Federal Bureau of Investigation

Sworn and subscribed before me this 12th day of June 2015.



DONALD L. CABELL
UNITED STATES MAGISTRATE JUDGE

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Category No. II Investigating Agency FBI

City Everett & Elsewhere

Related Case Information:

County Middlesex

Superseding Ind./ Inf. Case No. Same Defendant New Defendant Magistrate Judge Case Number Search Warrant Case Number 15-1079-DLC - 15-1084-DLC R 20/R 40 from District of

Defendant Information:

Defendant Name David Wright Juvenile: Yes No

Is this person an attorney and/or a member of any state/federal bar: Yes No

Alias Name Dawud Sharif Wright a/k/a Dawud Sharif Abdul Khaliq

Address (City & State) Everett, Massachusetts

Birth date (Yr only): 1989 SSN (last4#): 2796 Sex M Race: B Nationality: USA

Defense Counsel if known: Jessica Hedges Address 15 Broad Street, Suite 240

Bar Number Boston, MA 02109

U.S. Attorney Information:

AUSA B. Stephanie Siegmann/Nadine Pellegrini Bar Number if applicable

Interpreter: Yes No List language and/or dialect:

Victims: Yes No If yes, are there multiple crime victims under 18 USC§3771(d)(2) Yes No

Matter to be SEALED: Yes No

Warrant Requested Regular Process In Custody

Location Status:

Arrest Date 06/02/2015

Already in Federal Custody as of 06/02/2015 in Plymouth County

Already in State Custody at Serving Sentence Awaiting Trial

On Pretrial Release: Ordered by: on

Charging Document: Complaint Information Indictment

Total # of Counts: Petty Misdemeanor Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 6/12/2015

Signature of AUSA:

Handwritten signature of B. Stephanie Siegmann/Nadine Pellegrini

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant David Wright

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 2339B</u>	<u>Conspiracy to Provide Material Support to a Foreign Terrorist Organization</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Category No. II Investigating Agency FBI

City Everett & Elsewhere

Related Case Information:

County Middlesex

Superseding Ind./ Inf. Case No. Same Defendant New Defendant Magistrate Judge Case Number Search Warrant Case Number 15-1079-DLC - 15-1084-DLC R 20/R 40 from District of

Defendant Information:

Defendant Name Nicholas Rovinski Juvenile: Yes No

Is this person an attorney and/or a member of any state/federal bar: Yes No

Alias Name Nuh Amriki a/k/a Nuh al Andalusi

Address (City & State) Everett, Massachusetts

Birth date (Yr only): 1990 SSN (last4#): Sex M Race: W Nationality: USA

Defense Counsel if known: Address

Bar Number

U.S. Attorney Information:

AUSA B. Stephanie Siegmann/Nadine Pellegrini Bar Number if applicable

Interpreter: Yes No List language and/or dialect:

Victims: Yes No If yes, are there multiple crime victims under 18 USC§3771(d)(2) Yes No

Matter to be SEALED: Yes No

Warrant Requested Regular Process In Custody

Location Status:

Arrest Date 06/11/2015

Already in Federal Custody as of 06/12/2015 in Transferred from Braintree today

Already in State Custody at Serving Sentence Awaiting Trial

On Pretrial Release: Ordered by: on

Charging Document: Complaint Information Indictment

Total # of Counts: Petty Misdemeanor Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 6/12/2015 Signature of AUSA:

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Nicholas Rovinski

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 2339B</u>	<u>Conspiracy to Provide Material Support to a Foreign Terrorist Organization</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____