

FILED
IN CLERK'S OFFICE
US DISTRICT COURT
E.D.N.Y.
*** SEPTEMBER 10, 2024 ***
BROOKLYN OFFICE

DMP:SKW/GMR
F. #2023R00922

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

Cr. No. 24-CR-362
(T. 18, U.S.C., §§ 924(d)(1),
981(a)(1)(C), 981(a)(1)(G), 1958(a),
2332b(a)(1), 2332b(a)(2),
2332b(b)(1)(A), 2332b(b)(1)(B),
2332b(b)(1)(C), 2332b(c)(1)(A),
2332b(c)(2), 2 and 3551 et seq.; T. 21,
U.S.C., § 853(p); T. 28, U.S.C., §
2461(c))

ASIF MERCHANT,
also known as "Asif Raza Merchant,"

Defendant.

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Judge Eric R. Komitee
Magistrate Judge Lara K. Eshkenazi

THE GRAND JURY CHARGES:

COUNT ONE

(Attempt to Commit an Act of Terrorism Transcending National Boundaries)

1. In or about and between April 2024 and July 2024, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, and involving conduct transcending national boundaries, the defendant ASIF MERCHANT, also known as "Asif Raza Merchant," together with others, did knowingly and intentionally attempt to kill a person within the United States, in violation of the laws of a State and the United States, and one or more facilities of interstate or foreign commerce was used in furtherance of the offense, the offense affected interstate and foreign commerce and would have affected interstate and foreign commerce if completed, and the intended victim was a member of the uniformed

services, or any official, officer, employee, or agent of the legislative, executive, or judicial branches, or of any department or agency, of the United States.

(Title 18, United States Code, Sections 2332b(a)(1), 2332b(a)(2), 2332b(b)(1)(A), 2332b(b)(1)(B), 2332b(b)(1)(C), 2332b(c)(1)(A), 2332b(c)(2), 2 and 3551 et seq.)

COUNT TWO
(Murder for Hire)

2. In or about and between April 2024 and July 2024, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ASIF MERCHANT, also known as “Asif Raza Merchant,” together with others, did knowingly and intentionally travel in interstate and foreign commerce, to wit: from outside the United States to the United States, and from Texas to New York, and use and cause another to use a facility of interstate and foreign commerce, to wit: a cellular telephone, with intent that a murder be committed in violation of the laws of a State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value.

(Title 18, United States Code, Sections 1958(a), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT ONE

3. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count One, the government will seek forfeiture in accordance with: (a) Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense; and (b) Title 18, United States Code, Section 981(a)(1)(G) and Title 28, United States Code, Section 2461(c), which require the forfeiture of all assets, foreign or

domestic, (i) of any individual, entity, or organization engaged in planning or perpetrating any Federal crime of terrorism (as defined in Title 18, United States Code, Section 2332b(g)(5)) against the United States, citizens or residents of the United States, or their property, and all assets, foreign or domestic, affording any person a source of influence over any such entity or organization; (ii) acquired or maintained by any person with the intent and for the purpose of supporting, planning, conducting, or concealing any Federal crime of terrorism (as defined in Title 18, United States Code, Section 2332b(g)(5)) against the United States, citizens or residents of the United States, or their property; (iii) derived from, involved in, or used or intended to be used to commit any Federal crime of terrorism (as defined in Title 18, United States Code, Section 2332b(g)(5)) against the United States, citizens or residents of the United States, or their property; or (iv) of any individual, entity, or organization engaged in planning or perpetrating any act of international terrorism (as defined in Title 18, United States Code, Section 2331) against any international organization (as defined in Title 22, United States Code, Section 4309(b)) or against any foreign Government, including but not limited to the following assets:

- (i) one HP Elitebook 840 laptop with serial number TDASAZ4632, seized by law enforcement on or about July 12, 2024, in Richmond, Texas;
- (ii) one Xiaomi Redmi 12 Android cellular phone with IMEI number 862854068663506, seized by law enforcement on or about July 12, 2024, in Richmond, Texas;
- (iii) one Samsung Galaxy S21 Android cellular phone with IMEI number 35380751330622, seized by law enforcement on or about July 12, 2024, in Richmond, Texas;

(iv) one Apple iPhone 14 cellular phone with IMEI number 354633851964551 seized by law enforcement on or about July 12, 2024, in Richmond, Texas;

(v) approximately \$1,048.28 in United States currency, seized by law enforcement on or about July 12, 2024, in Richmond, Texas; and

(vi) approximately \$5,000.00 in United States currency seized by law enforcement on or about June 21, 2024, in New York, New York.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (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 divided

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 defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 981(a)(1)(C) and 981(a)(1)(G); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

**CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT TWO**

5. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count Two, the government will seek forfeiture in accordance with: (a) Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United

States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense; and (b) Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any violation of any other criminal law of the United States.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (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 divided

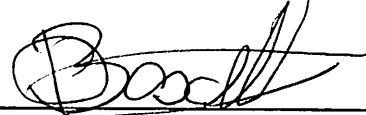
without difficulty;

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 defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 924(d)(1) and 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL

A handwritten signature in black ink, appearing to read "Baad", written over a horizontal line.

FOREPERSON

Breon Peace

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK