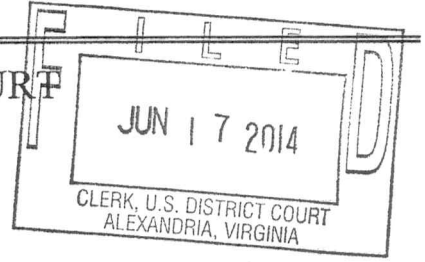


UNITED STATES DISTRICT COURT

for the Eastern District of Virginia



United States of America)
v.)
Nader Arafat Fayez Alhnaity)
and)
Samer Khaled Alhnaity)

Case No. 1:14 MJ 306

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 March 8, 2014 to the present, in the county of Fairfax and City of Alexandria in the Eastern District of Virginia, the defendant(s) violated:

Table with 2 columns: Code Section (18 U.S.C. §§ 371 and 922(a)(1)(A)) and Offense Description (Conspiring to engage in the business of dealing in firearms without a federal firearms license, and to receive and ship firearms in interstate and foreign commerce)

This criminal complaint is based on these facts: see attached affidavit

Continued on the attached sheet.

Handwritten signature of Scott Patrick Buchner

Complainant's signature

Scott Patrick Buchner, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/17/2014

Theresa Carroll Buchanan United States Magistrate Judge

Handwritten signature of Theresa Carroll Buchanan

Judge's signature

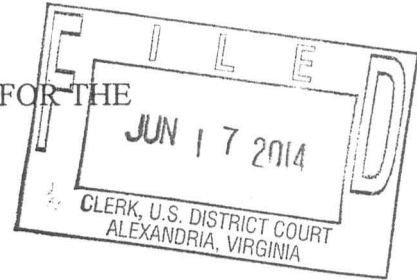
City and state: Alexandria, VA

Theresa Carroll Buchanan, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)
)
 v.)
)
 NADER ARAFAT FAYEZ ALHNAITY)
)
 and)
)
 SAMER KHALED ALHNAITY,)
)
 Defendants)

No. 1:14mj 306

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Scott Patrick Buchner, after being duly sworn, depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), and am assigned to the Washington Field Office. I have been an FBI Special Agent for approximately two years, in which time I have investigated several violations to include international terrorism, immigration fraud, and white collar crimes. I have a Master's Degree from American Military University and a Bachelors of Science Degree from The United States Naval Academy. I am a graduate of the FBI Academy at Quantico, Virginia and have had extensive training in federal law.

2. This affidavit is submitted in support of a criminal complaint charging Nader Arafat Fayez Alhnaity and Samer Khaled Alhnaity with conspiring to engage in the business of dealing in firearms without a license, and to ship and receive firearms in interstate or foreign commerce in the course of such a business, in violation of 18 U.S.C. §§ 371 and 922(a).

3. The information contained in this affidavit is based on my personal knowledge and observations made during the course of this investigation, information conveyed to me by other law enforcement officials, personal review of records, documents, and other physical evidence obtained during this investigation, and information I have gained through my training and experience. Since this affidavit is submitted for the limited purpose of supporting the criminal complaint, I have not included every fact known to me concerning this investigation.

I. The Relevant Statutes

4. Pursuant to Title 18, United States Code, Section 922(a)(1)(A), it is unlawful for any person except a licensed importer, licensed manufacturer, or licensed firearms dealer to engage in the business of dealing in firearms. Moreover, pursuant to that same section, it is unlawful for any person in the course of an unlicensed firearms business to ship or receive any firearm in interstate or foreign commerce. I am advised that exporting firearms to countries overseas for further sale or distribution overseas constitutes shipping firearms in foreign commerce.

5. I further am advised that, by reason of the Arms Export Control Act, codified at Title 22, United States Code, Sections 2778(b)(2) and 2779(c), semi-automatic pistols may not be exported from the United States without a license or written authorization from the Department of State because they are designated as defense articles on the United States Munitions List, Category III.

II. Nader Alhnaity and Samer Alhnaity Conspired to Violate 18 U.S.C. § 922(a)(1)(A)

6. Samer Khaled Alhnaity (“Samer”) is a 36-year old naturalized United States citizen from Jordan, who resides in Bristow, Virginia. Nader Arafat Fayez Alhnaity (“Nader”) is a 31-year old citizen of Jordan who resides in Fairfax, Virginia, and works as a hair stylist in Lorton, Virginia.

7. A confidential human source ("CHS") informed the FBI of a conversation that occurred on January 27, 2014, between Samer, Nader, and the CHS. In the course of the conversation, the three individuals spoke about the possibility of purchasing Glock pistols for export to gun stores in Jordan that Samer claimed to own.

8. The CHS arranged for an FBI employee acting in an undercover capacity to meet Nader to discuss the sale of Glock pistols. In a meeting on March 8, 2014, that was recorded by the FBI, the FBI employee ("UC-1") told Nader that UC-1 could sell Nader guns. Nader said that he wanted to purchase 20 Glock model 26 semi-automatic pistols. Nader requested delivery of additional guns on a regular basis as long as the initial deal went well.

9. During this meeting, Nader received a telephone call, which he said was from his uncle. Nader agreed with UC-1 that the deal would be between Nader, his uncle, and UC-1. Nader said that he is usually with his uncle when he is making firearms deals.

10. On March 30, 2014, UC-1 met Nader at a parking garage in Tysons Corner, Virginia. Nader brought cash to purchase the firearms that day, but UC-1 told Nader to put his money away because UC-1 did not have the guns at that time. Nader then asked if UC-1 had the weapons; UC-1 replied, "I got them, give me another week." UC-1 did not ultimately deliver any firearms to Nader and Samer.

11. The CHS reported that, on April 25, 2014, Samer and Nader said that they had a list of weapons they were interested in purchasing, including Glock pistols, anything automatic, M4's, MP5, Browning compact pistols, suppressors, and silencers. Samer said that he is in charge of sending shipments of firearms every 40 days to six cousins who own a store in Jordan, and his next shipment is set to occur in 10 days. Samer mentioned that the cars and containers were ready to ship, and all they needed was the weapons. On the basis of my training and

experience, I know that items to be smuggled out of the United States are often hidden in containers and cars at ports such as Baltimore, as the cars and containers await legitimate export from the United States; accordingly, I believe that Samer's reference to the cars and containers reflected his plan to smuggle the guns out of the country in the cars and containers.

12. The CHS reported that Nader and Samer asked the CHS to find a different dealer because they were not happy with UC-1 as a result of how long it was taking for UC-1 to deliver the firearms that they sought. On May 26, 2014, Samer and Nader met with a different law enforcement agent acting in an undercover capacity ("UC-2") at Landmark Mall, in Alexandria, Virginia, as a result of an introduction by the CHS.

13. In the course of the meeting on May 26, 2014, Samer said that he wanted to purchase rifles and handguns to ship overseas. Samer and Nader told UC-2 that the weapons would be sent overseas to Jordan to be sold on the "black market." Samer stated that he wanted "compacts" because they were easier to conceal. According to Samer, he and his family have been involved in transferring guns hidden in tanker trucks to and from Iraq. UC-2 agreed to supply Glock handguns and assault rifles in approximately 30 to 60 days.

14. UC-2 said that he had 30 Glock handguns available, and that he also had available for sale 20 M4 rifles. Nader and Samer said that they wanted to buy the Glock handguns, but they had to contact their partner in Florida before making any decision on the M4 rifles.

15. On June 2, 2014, Samer exchanged emails with an account he believed to be controlled by UC-2, and received a list of firearms available for purchase. On June 5, 2014, Samer received an email purportedly from UC-2, expressing disappointment that Samer had not responded to the message on June 2, 2014, and notifying Samer that some of the firearms on the earlier list had been sold to other customers. The email notified Samer that he could still

purchase 17 Glock firearms and four other related items for \$18,000, or simply the 17 Glock handguns for \$14,000.

16. On June 6, 2014, the email account used by the FBI for communications with UC-2 received an email from Samer's account, in which Samer apologized for the delay in replying. Samer wrote that he wanted to purchase the Glock handguns, thanked UC-2 for lowering the price, and asked when the firearms would be available for purchase. Samer said that he was in Canada and would be back on June 14th, and asked if they could meet on Monday, June 16th.

17. On June 15, 2014, Samer was sent a message that purported to be from UC-2, saying that the meeting for Monday, June 16th, was off. Samer responded with a message that said "Ok, I am waiting for you thanks". On June 16th, Samer was sent a message that purported to be from UC-2, asking if Samer could do the deal on the morning of Wednesday, June 18, 2014. Samer sent a response agreeing to the date saying, "yes that is very good". An email was sent to Samer saying an associate would be in touch which Samer responded to sending "Ok sir".

18. On the evening of June 16, 2014, a text message was sent to Samer's cellular phone that purported to be from UC-2, saying that UC-2 would reach out to Samer in the morning (Wednesday, June 18, 2014) with details for the transaction to be conducted that morning, June 18, 2014.

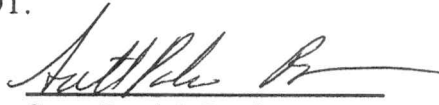
20. According to the records of the Bureau of Alcohol, Tobacco, and Firearms, neither Samer nor Nader is a federally-licensed importer of firearms, a manufacturer of firearms, or federally-licensed firearms dealer. According to records of the Department of Commerce and the Department of State, neither Samer nor Nader has applied for or is in possession of a license to export items from the United States.

Conclusion

21. Based on the foregoing, there is probable cause to believe that, from on or about March 8, 2014, and continuing to June 18, 2014, in the Eastern District of Virginia, Nader Alhnaity and Samer Alhnaity conspired to engage in the business of dealing in firearms without a federal firearms license, and to receive and ship firearms in interstate and foreign commerce, in violation of 18 U.S.C. §§ 371 and 922(a)(1)(A).


Wherefore, I request the issuance of arrest warrants pursuant to the Federal Rules of Criminal Procedure.

FURTHER THIS AFFIANT SAYETH NOT.



Scott Patrick Buchner
Special Agent, FBI

Subscribed to and sworn before me on this 17th day of June 2014. /s/
Theresa Carroll Buchanan
United States Magistrate Judge



THERESA CARROLL BUCHANAN
UNITED STATES MAGISTRATE JUDGE