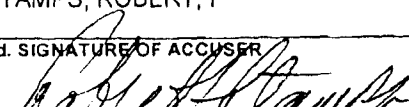
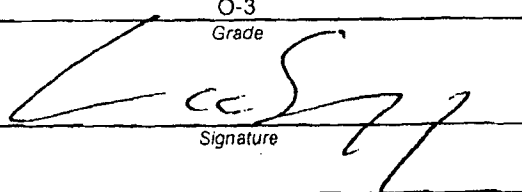


CHARGE SHEET		
I. PERSONAL DATA		
1. NAME OF ACCUSED: SUFYIAN BARHOUMI		
2. ALIASES OF ACCUSED: Abu Obaida, Ubaydah al Jaza'iri, Shafiq		
3. ISN NUMBER OF ACCUSED (LAST FOUR): 0694		
II. CHARGES AND SPECIFICATIONS		
4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C. Violation of 10 U.S.C. § 950v(b)(28) Conspiracy SPECIFICATION: SEE CONTINUATION SHEET ATTACHED.		
III. SWEARING OF CHARGES		
5a. NAME OF ACCUSER (LAST, FIRST, MI) STAMPS, ROBERT, F	5b. GRADE O-6	5c. ORGANIZATION OF ACCUSER OMC-PROSECUTION
5d. SIGNATURE OF ACCUSER 	5e. DATE (YYYYMMDD) 20080528	
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the <u>28th</u> day of <u>May</u> , <u>2008</u> , and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.		
ISAAC C. SPRAGG <i>Typed Name of Officer</i>	OMC-PROSECUTION <i>Organization of Officer</i>	
O-3 <i>Grade</i>	10 U.S.C. 1044(b) <i>Official Capacity to Administer Oath</i> (See R.M.C. 307(b) must be commissioned officer)	
 <i>Signature</i>		

MC FORM 458 JAN 2007

EXHIBIT A

IV. NOTICE TO THE ACCUSED

6. On _____, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

CPT ISAAC C. SPRAGG
*Typed Name and Grade of Person Who Caused
 Accused to Be Notified of Charges*

OMC-PROSECUTION
*Organization of the Person Who Caused
 Accused to Be Notified of Charges*

Signature

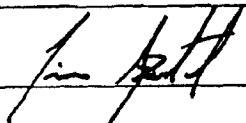
V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1425 hours, on 14 July 2008, at Arlington, VA

 Location

For the Convening Authority: Liam M. Apostol
Typed Name of Officer

YA-03
 Grade


 Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

Convening Authority 10 USC §948h
Appointed on 6 Feb 2007

8b. PLACE

Arlington, VA

8c. DATE (YYYYMMDD)

20081020

Referred for trial to the (non)capital military commission convened by military commission convening order _____

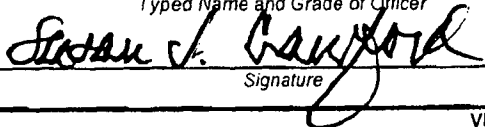
The charges and specifications are dismissed without prejudice.

~~subject to the following instructions:~~ _____

By XX _____ XX
 Command, Order, or Direction

Susan J. Crawford
Typed Name and Grade of Officer

Convening Authority 10 USC §948h
 Official Capacity of Officer Signing


 Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

Charge Sheet Continuation Page in Case of SUFYIAN BARHOUMI

CHARGE I: Violation of 10 U.S.C. § 950v(b)(28) Conspiracy

Specification: In that Sufyian Barhoumi, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various locations in Afghanistan, Pakistan and elsewhere, between about January 1999 through April 2002, conspire and agree with Usama bin Laden, Saif al Adel, Dr. Ayman al Zawahari (a/k/a "the Doctor"), Muhammad Atef (a/k/a Abu Hafs al Masri), Jose Padilla (a/k/a Abdullah al Muhajir), Khalid Shaykh Mohamed (a/k/a Mukhtar; hereinafter "KSM"), Noor al Deen, Akrama al Sudani, Jabran Said Bin al Qahtani ("al Qahtani"), Ghassan Abdullah al Sharbi ("al Sharbi"), Binyam Mohamed, and various other members and associates of the al Qaeda organization, known and unknown, to commit one or more substantive offenses triable by military commission, to wit: murder of a protected person or persons, attacking civilians, attacking civilian objects, intentionally causing serious bodily injury, murder in violation of the law of war, destruction of property in violation of the law of war, providing material support to an international terrorist organization and terrorism; and did join al Qaeda, an enterprise of persons who shared a common criminal purpose, that involved, at least in part, the commission or intended commission of one or more of the said substantive offenses triable by military commission, and did with knowledge of the common criminal purpose of the al Qaeda enterprise and of the unlawful purposes of the agreement the said Sufyian Barhoumi willfully join the al Qaeda enterprise and willfully entered into the agreement with the intent to further those unlawful purposes, and knowingly committed the following overt acts in order to accomplish some objective or purpose of the enterprise and the agreement:

- a. In 1999 Barhoumi, an Algerian citizen, attended terrorist training at the Khalden Camp in Afghanistan, an al Qaeda-affiliated terrorist training camp, where he trained on using light arms, compass and navigation, artillery, and mortars.
- b. After completing his training, Barhoumi became an explosives trainer for al Qaeda, training members of al Qaeda on electronically-controlled explosives at remote locations.

- c. In December 2001, Barhoumi followed the orders of Muhammad Atef (a/k/a/ Abu Hafs al Masri), the head of al Qaeda's military committee and al Qaeda's military commander. Muhammad Atef ordered that two "brothers" from the al Farouq training camp receive electronically-controlled explosives training in Pakistan, for the purpose of establishing a new and independent section of the military committee. Barhoumi agreed to train al Sharbi and al Qahtani on how to build hand-held remote-detonation devices for explosives.
 - d. By early March 2002, Barhoumi, al Sharbi, and al Qahtani all arrived at the safe house in Faisalabad, Pakistan. Barhoumi began to train al Sharbi and al Qahtani on building small, hand-held remote-detonation devices for explosives that were intended to be use against United States and Coalition forces.
 - e. In March 2002, Barhoumi assisted in the purchase of electronic components, which included, *inter alia*, electrical resistors, plastic resistors, light bulbs for circuit board lights, plastic and ceramic diodes, circuit testing boards, an ohmmeter, watches, soldering wire, soldering guns, wire and coil, six cell phones of a specified model, transformers and an electronics manual. While at the Faisalabad safehouse, using these recently purchased supplies, Barhoumi trained al Sharbi and al Qahtani on how to build hand-held remote-detonation devices for explosives.
 - f. After the explosives training had begun, Barhoumi supervised the construction of a number of circuit boards and other component parts of the hand-held remote-detonation devices for explosives intended to be deployed against United States and Coalition forces.
 - g. On March 28, 2002, Barhoumi, al Sharbi, al Qahtani, and others were captured in a safe house in Faisalabad after authorities raided the home.
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CHARGE II: Violation of 10 U.S.C. § 950v (b)(25) Providing Material Support for Terrorism

Specification: In that Sufyian Barhoumi, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various locations in Afghanistan, Pakistan and elsewhere, between about January 1999 and March 2002, in the context of or associated with an armed conflict, intentionally provide material support to al Qaeda, an international terrorist organization engaged in hostilities against the United States, knowing that such organization has engaged or engages in terrorism, by performing at least one of the following acts:

- a. In 1999 Barhoumi, an Algerian citizen, attended terrorist training at the Khalden Camp in Afghanistan, an al Qaeda-affiliated terrorist training camp, where he trained on using light arms, compass and navigation, artillery, and mortars.
- b. After completing his training, Barhoumi became an explosives trainer for al Qaeda, training members of al Qaeda on electronically-controlled explosives at remote locations.
- c. In December 2001, Barhoumi followed the orders of Muhammad Atef (*a/k/a/* Abu Hafs al Masri), the head of al Qaeda's military committee and al Qaeda's military commander. Muhammad Atef ordered that two "brothers" from the al Farouq training camp receive electronically-controlled explosives training in Pakistan, for the purpose of establishing a new and independent section of the military committee. Barhoumi agreed to train al Sharbi and al Qahtani on how to build hand-held remote-detonation devices for explosives.
- d. By early March 2002, Barhoumi, al Sharbi, and al Qahtani all arrived at the safe house in Faisalabad, Pakistan. Barhoumi began to train al Sharbi and al Qahtani on building small, hand-held remote-detonation devices for explosives that were intended to be use against United States and Coalition forces.

- e. In March 2002, Barhoumi assisted in the purchase of electronic components, which included, *inter alia*, electrical resistors, plastic resistors, light bulbs for circuit board lights, plastic and ceramic diodes, circuit testing boards, an ohmmeter, watches, soldering wire, soldering guns, wire and coil, six cell phones of a specified model, transformers and an electronics manual. While at the Faisalabad safehouse, using these recently purchased supplies, Barhoumi trained al Sharbi and al Qahtani on how to build hand-held remote-detonation devices for explosives.

 - f. After the explosives training had begun, Barhoumi supervised the construction of a number of circuit boards and other component parts of the hand-held remote-detonation devices for explosives intended to be deployed against United States and Coalition forces.

 - g. On March 28, 2002, Barhoumi, al Sharbi, al Qahtani, and others were captured in a safe house in Faisalabad after authorities raided the home.
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