

ORIGINAL



IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CRIMINAL NO. 03-80810

Plaintiff,

HONORABLE GERALD E. ROSEN

v.

D-1 AHMAD MUSA JEBRIL,

D-2 MUSA ABDALLAH JEBRIL,

Defendants.

**GOVERNMENT'S SUPPLEMENTAL
SENTENCING MEMORANDUM**

U.S. DISTRICT COURT
EASTERN DISTRICT OF
MICHIGAN
SOUTHERN DIVISION

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FILED

The United States of America, through its undersigned counsel, submitted a sentencing memorandum in this case several months ago, asking the Court to impose custodial sentences of 87 months upon Ahmad Jebril and 78 months upon Musa Jebril, as well as obligations for supervised release, forfeiture and restitution for each defendant. On April 22, 2005, Musa Jebril filed a sentencing memorandum, asking this Court to depart downward from the guidelines calculated by Probation in his presentence report. The government respectfully submits this memorandum and its attachments in response to that memorandum.

Defense counsel portrays Musa Jebril as a "man who has instilled positive values in his daughters and those with whom he has come in contact." It is difficult to respond to that description of Musa Jebril with equanimity. Musa Jebril supported his family by fraud for many years, and encouraged them (or perhaps required them) to participate in his fraud schemes. He never filed income taxes. His only son, Ahmad Jebril, was actively engaged in carrying out the fraud schemes with his father, systematically destroying their rental properties for the insurance proceeds, and bullying and threatening tenants in the process.

For example, the Court will recall the testimony of Dorothy Vermette, the 74-year-old lady who manages the apartment building at 1057 Victoria in Lincoln Park. Mrs. Vermette's disabled adult daughter lives with her. Their income is solely from Social Security. Mrs. Vermette mows the lawn, shovels snow, cleans the common areas, collects rents, cleans the apartments after tenants move out, and turns a blind eye when she sees Ahmad Jebril vandalizing apartments for the insurance money. In exchange for her services and her loyalty, the Jebrils give Mrs. Vermette *\$100 a month* against her rent; without that money, she and her daughter would have to move out of the apartment.

Similarly, the Court will recall the testimony of mail carrier Felix Ramirez, who testified he has delivered the mail to the Jebrils at 4637 Palmer (the home of Musa Jebril, his wife Subhieh Jebril, and Ahmad Jebril) and 4957 Rosalie (the home of Musa Jebril's daughter, Zeina Odeh) since 1989. Mr. Ramirez testified that shortly after he started delivering mail on that route, he realized he was delivering mail addressed to as many as 80 different names at those addresses.

Also, the Court will recall that the search of Zeina Odeh's house on Rosalie yielded significant evidence of the Jebrils' fraud, including a voter registration card in the name of Brahim Maach, one of Ahmad Jebril's aliases. Zeina Odeh, who is raising Musa Jebril's grandsons Musa and Haroun, cannot claim she has no knowledge of her father's fraud schemes.

The government seized a family photo album during the search of 4637 Palmer. The photos were not offered as evidence at the trial; however, they are still in the custody of the FBI and available for the Court to review. Defense counsel has seen the photos. The album includes photos of Ahmad Jebril as a teenager dressed as a *mujihid* or holy warrior; photos of very young children holding apparently real firearms, "playing" at holding each other hostage and aiming the

weapons at each other's heads. Musa Jebril and his wife Subhie are in some of these photographs, condoning the behavior. A framed emblem of HAMAS, the Star of David pierced by a bloody fist brandishing an AK-47, was displayed in Musa Jebril's house; it was also seized by the agents executing a search warrant. As the patriarch of this family, Musa Jebril should not be commended and hailed as being a "good and loving father," or as "a role model within his community" with a "loving and tender heart."

Perhaps the most egregious statement defense counsel makes in his memorandum is that Musa Jebril "has helped to bridge the gap between Muslims and non-Muslims." Musa Jebril permitted his son, Ahmad Jebril, to run an anti-American radical Islamic website (AlSalafyoon.com) out of their home, and to teach classes in radical Salafism in their living room. The AlSalafyoon website contained a library of fanatically anti-American sermons by militant Islamic clerics, in English and in Arabic. From the website, Ahmad Jebril encouraged his students to spread Islam by the sword, to wage a holy war, to hate and kill non-Muslims (whom he called "kafers" or "kuffars"). After the search warrants were executed and the Jebrils had appeared in Court for arraignment, FrontPageMagazine.com published an article about the Jebrils and the website entitled "The Michigan Jihad" on October 23, 2003. The article contains excerpts of articles that appeared on the website; it is attached to this memorandum (Exhibit A). Other items that were downloaded from the website while it was operating are available to the Court; defense counsel saw them during discovery.

Finally, as the Court may recall, on November 13, 1995, a car bomb exploded in Riyadh, Saudi Arabia in the parking lot of a three-story building leased by the United States and used by U.S. military and civilian personnel. The blast killed six, including four Americans, and wounded at least 60 others. At 11:36 p.m. EST on November 14, 1995, a facsimile was received

by CNN praising the bombing; it was sent from a fax machine connected to a telephone line subscribed to by "Thomas Saad" at 4637 Palmer, Dearborn, Michigan. "Thomas Saad" is an alias used by Ahmad Jebril. The complete fax is attached (Exhibit B), as it was released by CNN; in part it states:

The bombing that happened in Riyadh that got the attention of the world is only the beginning of a new phase that the Saudi government will go through.

The first and main goal behind this first series of bombing is to kick the Jews, Christians and Infidels from the purified lands of the Arabian peninsula because it is the belief of every Muslim who bears witness that there is no God but One and Mohammed is his messenger. It is one of the last words of our profet [sic] said before his soul seperated [sic] his body when he said "Kick the Jews and Christians out of the Arabian peninsula. No two religions shall remain on the lands of the Arabian peninsula."

There will be a series of bombings that will follow no matter how many lives of ours are taken or how many bodies are in prison.

That is the precise reason why we chose the building we chose.

Ahmad Jebril was not prosecuted in connection with the Riyadh bombing, because there was no proof that the fax was not simply "puffing," no proof that he bore any actual responsibility for the deaths. However, the fact that Ahmad Jebril wanted to take credit for this deadly terrorist attack, and that Musa Jebril allowed his son to spew his radical brand of hatred out of the family home, can be taken into consideration by this Court in fashioning sentences that are both reasonable and appropriate for these two men.

CONCLUSION

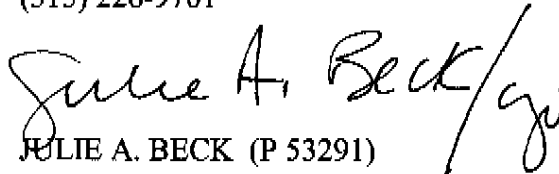
A downward departure for either Musa Jebril or Ahmad Jebril based upon their "good citizenship" would clearly be unwarranted. If anything, the Jebrils' conduct should result in an upward departure from the guidelines or, at the very least, custodial sentences at the tops of their respective ranges.

Respectfully submitted,

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