

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

INDICTMENT FOR CONSPIRACY AND ARSON

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.:
v.	*	SECTION:
Wael Hammad	*	VIOLATIONS: 18 U.S.C. § 844(i)
Alaa Hammad	*	18 U.S.C. § 844(n)
	*	18 U.S.C. § 2
	* * *	

The Grand Jury charges that:

COUNT 1

A. AT ALL MATERIAL TIMES HEREIN:

1. The defendants, **Wael Hammad** and **Alaa Hammad**, had a rental agreement for the building located at 3651 18th Street, Metairie, Louisiana.
2. The defendants, **Wael Hammad** and **Alaa Hammad**, operated, at the 3651 18th Street location, Fat City Discount Market which conducted business in interstate commerce.
3. A provision of the rental agreement allowed termination of the lease for fire damage to the property.

B. THE CONSPIRACY

Beginning at a time unknown to the Grand Jury and continuing until on or about December 14, 2011, in the Eastern District of Louisiana, the defendants, **Wael Hammad**, and **Alaa Hammad** did knowingly combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury, to maliciously damage and attempt to destroy by means of fire and explosive materials a building used in interstate commerce, located at 3651 18th Street, Metairie, Louisiana, in violation of Title 18, United States Code, Section 844(i).

C. OVERT ACTS

In furtherance of the conspiracy and to accomplish the unlawful objects thereof, the defendants, **Wael Hammad**, and **Alaa Hammad**, committed the following overt acts, among others, in the Eastern District of Louisiana:

1. On December 14, 2011, **Alaa Hammad** gathered loose papers and other flammable items and placed them on and about the commercial range at the business premises located at 3651 18th Street, Metairie, Louisiana.
2. **Alaa Hammad** and **Wael Hammad** caused the closing of the business before 10:30 p.m. on December 14, 2011 and they attempted to disable the security systems recording of their activities.
3. **Alaa Hammad** turned on at least one burner of the commercial stove and ignited the paper and plastic products placed on the stove on December 14, 2011.

4. **ALAA HAMMAD** and **Wael Hammad** attempted to limit the surveillance cameras to a recording of the fire after its ignition by **ALAA HAMMAD**.

All in violation of Title 18, United States Code, Section 844(n).

COUNT TWO

On or about December 14, 2011, in the Eastern District of Louisiana, the defendants, **Wael Hammad** and **ALAA HAMMAD**, did maliciously damage and attempt to destroy by means of fire and explosive materials a building used in interstate commerce, located at 3651 18th Street, Metairie, Louisiana; all in violation of Title 18, United States Code, Sections 844(i) and 2.

NOTICE OF FORFEITURE

1. The allegations of Counts 1 and 2 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 844(i), 844(n) and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 1 and 2, defendants, **ALAA HAMMAD** and **Wael Hammad**, shall forfeit to the United States pursuant to Title 18, United States Code, Sections 844(i), 844(n) and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections 844(i) and 844(n).

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 subdivided 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 said defendants up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 844(i), 844(n) and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

A TRUE BILL:

FOREPERSON



JIM LETTEN, # 8517
United States Attorney



JAN MASELLI MANN, # 9020
First Assistant United States Attorney



TONY GORDON SANDERS # 11705
Assistant United States Attorney

New Orleans, Louisiana
February 2, 2012.