

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JUDGE HIBBLER
MAGISTRATE JUDGE MASON

UNITED STATES OF AMERICA)

No.

04CR1058

vs.

DOCKETED

DEC 8 2004

MUHAMMAD ABDULLAH)

Violations: Title 18, United States
Code, Section 1001(a)(2)

COUNT ONE

FILED

The SPECIAL AUGUST 2003-1 GRAND JURY charges:

DEC - 7 2004

1. At times material to this indictment:

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

- a. The United States Department of Housing and Urban Development

("HUD") funded a Housing Choice Voucher ("HCV") program to assist eligible families in obtaining decent, safe and sanitary housing. HCV benefits included assistance in paying expenses for rent and utilities.

b. In Chicago, Illinois, the HCV program was administered by CHAC, Inc., a private company operating under contract with the Chicago Housing Authority.

c. To enroll in the HCV program, individuals and families were required to submit an application demonstrating, among other factors, that their household income fell below certain thresholds for the Chicago metropolitan area. To remain in the program, participants were required to complete annually an Application for Continued Occupancy which required participants to list household incomes. The Applications for Continued Occupancy were submitted to CHAC, Inc. and the application forms stated that "false statements or information are punishable under Federal Law."

2. On or about June 5, 2000, at Chicago, in the Northern District of

Illinois,

MUHAMMAD ABDULLAH,

defendant herein, knowingly and willfully did make false, fictitious, and fraudulent statements and representations of material facts in a matter within the jurisdiction of HUD, an agency of the United States government, in that defendant falsely represented in an Application for Continued Occupancy that no member of his household was employed or received an income, when in fact, as defendant then and there knew, he was employed by the Board of Education, City of Chicago, and earned a gross annual salary of over \$50,000;

In violation of Title 18, United States Code, Section 1001(a)(2).

COUNT TWO

The SPECIAL AUGUST 2003-1 GRAND JURY further charges:

1. The allegations in paragraph 1 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about June 12, 2001, at Chicago, in the Northern District of Illinois,

MUHAMMAD ABDULLAH,

defendant herein, knowingly and willfully did make false, fictitious, and fraudulent statements and representations of material facts in a matter within the jurisdiction of HUD, an agency of the United States government, in that defendant falsely represented in an Application for Continued Occupancy that no member of his household was employed or received an income, when in fact, as defendant then and there knew, he was employed by the Board of Education, City of Chicago, and earned a gross annual salary of over \$55,000;

In violation of Title 18, United States Code, Section 1001(a)(2).

COUNT THREE

The SPECIAL AUGUST 2003-1 GRAND JURY further charges:

1. The allegations in paragraph 1 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about May 2, 2002, at Chicago, in the Northern District of Illinois,

MUHAMMAD ABDULLAH,

defendant herein, knowingly and willfully did make false, fictitious, and fraudulent statements and representations of material facts in a matter within the jurisdiction of HUD, an agency of the United States government, in that defendant falsely represented in an Application for Continued Occupancy that no member of his household was employed or received an income, when in fact, as defendant then and there knew, he was employed by the Board of Education, City of Chicago, and earned a gross annual salary of over \$55,000;


In violation of Title 18, United States Code, Section 1001(a)(2).

SENTENCING ALLEGATION

The SPECIAL AUGUST 2003-1 GRAND JURY further alleges:

In and during the course of the commission of the offenses charged in Counts One through Three of the Indictment and relevant conduct, defendant MUHAMMAD ABDULLAH caused a loss of approximately \$34,188. U.S.S.G. §§ 2B1.1(b)(1)(D) and 1B1.3(a)(2).

A TRUE BILL:


FOREPERSON


UNITED STATES ATTORNEY

No.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MUHAMMAD ABDULLAH

I N D I C T M E N T

Violations: Title 18, United States Code,
Section 1001(a)(2).

A true bill.

Foreman

Filed in open court this 2nd day of December
A.D. 2004 MICHAEL W. DOBBINS,

Clerk

Att. C

MASON

**United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:04-cr-01058-1**

Case title: USA v. Abdullah

Date Filed: 12/07/2004

Date Terminated: 03/29/2006

Assigned to: Honorable William J. Hibbler

Defendant

Muhammad Abdullah (1)
TERMINATED: 03/29/2006

represented by **Robert Dean Kuzas**
Law Offices of Robert D. Kuzas
222 N. LaSalle
#200
Chicago, IL 60601
(312) 629-1400
Email: kuzasfirm@yahoo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert G. Clarke
Attorney at Law
30 West Monroe
Suite 710
Chicago, IL 60603
(312) 332-3101
Email: prestidigitate@sbcglobal.net
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

18:1001.F STATEMENTS OR ENTRIES
GENERALLY 18:2 Aiding and Abetting
(1)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY 18:2 Aiding and Abetting

Disposition

It is the judgment of this court that the defendant is hereby placed on probation for a term of five (5) years. Mandatory conditions of supervised release. Standard conditions of supervised release. Defendant shall make restitution in the total amount of \$34,188.00. Schedule of payments.

It is the judgment of this court that the defendant is hereby placed on probation for a term of five (5) years. Mandatory conditions of supervised release. Standard conditions of supervised release.

(2)

Defendant shall make restitution in the total amount of \$34,188.00. Schedule of payments.

18:1001.F STATEMENTS OR ENTRIES
GENERALLY 18:2 Aiding and Abetting
(3)

It is the judgment of this court that the defendant is hereby placed on probation for a term of five (5) years. Mandatory conditions of supervised release. Standard conditions of supervised release.

Defendant shall make restitution in the total amount of \$34,188.00. Schedule of payments.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition**Plaintiff****United States of America**

represented by **John C Kocoras**
United States Attorney's Office
219 South Dearborn Street
Suite 500
Chicago, IL 60604
(312) 353-5300
TERMINATED: 08/09/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pretrial Services

435-5545

Email:

ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov

*ATTORNEY TO BE NOTICED***Jeffery S Spalding**

United States Attorney's Office (NDIL)

219 South Dearborn Street
 Suite 500
 Chicago, IL 60604
 312/353-3500
 Email: Jeffery.Spalding@usdoj.gov
TERMINATED: 01/11/2006

Maribel Fernandez-Harvath
 United States Attorney's Office (NDIL)
 219 South Dearborn Street
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/07/2004	1	INDICTMENT Counts filed against Muhammad Abdullah (1) count(s) 1, 2, 3 (yap) (Entered: 12/08/2004)
12/07/2004	2	DESIGNATION SHEET FELONY Category 3 (yap) (Entered: 12/08/2004)
12/07/2004	3	MINUTE ORDER of 12/7/04 by Hon. Geraldine Soat Brown as to Muhammad Abdullah: To set preliminary bail at \$4,500.00 and that defendant be allowed to sign own recognizance bond. No notice (yap) (Entered: 12/08/2004)
12/08/2004	4	ARRAIGNMENT NOTICE: Before Hon. William J. Hibbler as to Muhammad Abdullah: Arraignment and plea set for Wednesday, 12/15/04 at 9:30 a.m. in courtroom 1225. Mailed notice (yap) (Entered: 12/08/2004)
12/15/2004	5	MINUTE ORDER of 12/15/04 by Hon. William J. Hibbler as to Muhammad Abdullah: Arraignment set. Arraignment reset to 1/12/05 at 9:30 a.m. Notice for the defendant is to be sent to Apt. 1208, not 1200. Mailed notice (yap) (Entered: 12/16/2004)
01/12/2005	6	MINUTE ORDER of 1/12/05 by Hon. William J. Hibbler as to Muhammad Abdullah: Arraignment held. Defendant Muhammad Abdullah plea of not guilty. 16.1A materials tendered in open court. Robert G. Clarke appointed as counsel for defendant for arraignment purposes. Attorney Clarke to submit a detailed financial affidavit to the court for further consideration prior to the next court date. Status hearing set for 2/16/05 at 9:45 a.m. The court finds the interest of justice would best be served by excluding time pursuant to 18:3161(h)(8)(A)(B). Mailed notice (yap) (Entered: 01/12/2005)
01/12/2005	7	ORDER by Hon. William J. Hibbler setting conditions of release for Muhammad Abdullah in the amount of \$4,500.00 own recognizance Report to Pretrial Services: as directed (For further detail see order.) (yap) (Entered: 01/12/2005)
01/12/2005	8	BOND (\$4,500.00 OWN RECOGNIZANCE) by Muhammad Abdullah (yap) (Entered: 01/12/2005)

01/12/2005	9	FINANCIAL AFFIDAVIT as to Muhammad Abdullah (yap) (Entered: 01/12/2005)
02/16/2005	10	MINUTE entry before Judge William J. Hibbler : Status Hearing as to Muhammad Abdullah held and continued to 2/28/2005 at 10:00 AM. The conditional appointment of Robert G. Clarke is vacated. Defendant's newly retained counsel to file appearance prior to the next court date. Exclusion pursuant to 18:3161(h)(8)(A)(B) to continue. No notice (emd,) (Entered: 02/25/2005)
04/11/2005	12	MINUTE entry before Judge William J. Hibbler as to Muhammad Abdullah : Status hearing held and continued to 6/1/05 at 10:00 a.m. Exclusion pursuant to 18:3161(h)(8)(A)(B) to continue. Mailed notice (yap,) (Entered: 04/12/2005)
06/01/2005	13	MINUTE entry before Judge William J. Hibbler : Status Hearing as to Muhammad Abdullah held and continued to 7/11/2005 at 10:00 AM. Exclusion pursuant to 18:3161(h)(8)(A)(B) to continue. Mailed notice (emd,) (Entered: 06/02/2005)
07/11/2005	14	MINUTE entry before Judge William J. Hibbler as to Muhammad Abdullah: Status hearing held and continued to 7/20/05 at 10:15 a.m. Excludable delay pursuant to 18:3161(h)(8)(A)(B) to continue. Parties to advise the court if a change of plea will be entered. Mailed notice (yap,) (Entered: 07/13/2005)
07/20/2005	15	MINUTE entry before Judge William J. Hibbler : Status Hearing held and continued to 8/24/2005 at 10:00 AM. Excludable delay pursuant to 18:3161(h)(8)(A)(B) to continue. Mailed notice (emd,) (Entered: 07/22/2005)
08/09/2005	16	ATTORNEY Designation for USA of Jeffrey S Spalding (yap,) (Entered: 08/10/2005)
08/09/2005		Attorney update in case as to Muhammad Abdullah. Attorney John C Kocoras terminated. (yap,) (Entered: 08/10/2005)
08/24/2005	17	MINUTE entry before Judge William J. Hibbler as to Muhammad Abdullah: Status hearing held. Change of Plea set for 10/3/2005 at 10:15 AM. Exclusion to continue to pursuant to 18:3161(h)(8)(A)(B). Mailed notice (yap,) (Entered: 08/25/2005)
10/03/2005	18	MINUTE entry before Judge William J. Hibbler as to Muhammad Abdullah: Defendant withdraw plea of not guilty. Defendant enters plea of guilty to all counts. Defendant informed of his rights. Court enters judgment of guilty. Order cause referred to the Probation Department for a presentence investigation report. Motions for departure and objections to PSI to be filed by 11/23/05. Sentencing set for 11/30/2005 at 10:30 AM. Bond to stand. Mailed notice (yap,) (Entered: 10/04/2005)
10/28/2005	19	MINUTE entry before Judge William J. Hibbler as to Abdullah: Sentencing reset to 12/14/05 at 10:30 a.m. Motions for departure and objections to PSI to be filed by 12/7/05. Mailed notice (yap,) (Entered: 10/31/2005)
12/07/2005	20	MOTION by Muhammad Abdullah for extension of time. (td,) (Entered: 12/07/2005)

12/07/2005	21	NOTICE of Motion for presentment of motion for extension of time ²⁰ before Honorable William J. Hibbler on 12/12/2005 at 09:30 AM. (td,) (Entered: 12/07/2005)
12/12/2005	22	MINUTE entry before Judge William J. Hibbler as to Muhammad Abdullah: Defendant's motion for extension of time ²⁰ is granted. Motions for departure and objections to PSI to be filed by 1/11/06. Sentencing reset for 1/18/2006 at 10:30 AM. Mailed notice (yap,) (Entered: 12/15/2005)
01/11/2006	23	ATTORNEY Designation for USA of Maribel Fernandez-Harvath (yap,) (Entered: 01/13/2006)
01/18/2006	24	MINUTE entry before Judge William J. Hibbler as to defendant Abdullah: At defendant's request, sentencing reset to 2/6/06 at 10:30 a.m. Motions for departure and objections to PSI to be filed by 1/30/06. Mailed notice (las,) (Entered: 01/19/2006)
01/31/2006	25	MOTION by Muhammad Abdullah for downward departure, objections to PSR and sentencing memorandum; Notice (yap,) (Entered: 02/02/2006)
02/06/2006	26	MINUTE entry before Judge William J. Hibbler as to Abdullah: Sentencing reset to 3/6/2006 at 10:30 AM. Mailed notice (yap,) (Entered: 02/07/2006)
02/06/2006	27	MINUTE entry before Judge William J. Hibbler as to Abdullah: Sentencing reset to 3/6/2006 at 10:30 AM. Mailed notice (yap,) (Entered: 02/07/2006)
03/07/2006	28	MINUTE entry before Judge William J. Hibbler as to Addullah: Sentencing reset to 3/20/06 at 10:30 a.m. before Judge Hibbler in courtroom 1225. Mailed notice (yap,) (Entered: 03/10/2006)
03/20/2006	29	MINUTE entry before Judge William J. Hibbler as to Abdullah: At defendant's request, sentencing reset to 3/29/06 at 10:30 a.m. Mailed notice (yap,) (Entered: 03/21/2006)
03/29/2006	30	JUDGMENT (Sentencing Order) as to Muhammad Abdullah (1): The defendant entered a plea of guilty to count(s) I, II and III of the indictment, which was accepted by the court. It is the judgment of this court that the defendant is hereby placed on probation for a term of five (5) years. Mandatory conditions of supervised release. Standard conditions of supervised release. Defendant shall make restitution in the total amount of \$34,188.00. Schedule of payments. Muhammad Abdullah terminated. Signed by Judge William J. Hibbler on 4/5/06.Mailed copy to counsel of record (yap,) . (Entered: 04/10/2006)
04/12/2006		JUDGMENT and Commitment as to Muhammad Abdullah issued to U.S. Marshal (meg,) (Entered: 04/12/2006)
07/31/2006	31	1 ORIGINAL AND 1 COPY CITATION to Discover Assets issued as to Chicago Board of Education regarding defendant Muhammad Abdullah (yap,) Modified on 8/7/2006 (amb,). (Entered: 08/02/2006)
08/01/2006	32	RETURN of third party citation to discover assets executed on 8/1/06 as to Chicago Board of Education, Law Department regarding Muhammad Abdullah (yap,) (Entered: 08/03/2006)

08/18/2006	<u>33</u>	ANSWER by Chicago Board of Education of third party citation respondent regarding Muhammad Abdullah (meg,) (Entered: 08/21/2006)
09/06/2006	<u>34</u>	CITATION to Discover Assets issued as to Third Party Public School Teachers' Pension regarding defendant Muhammad Abdullah (yap,) Modified on 9/13/2006 (kmt,). (Entered: 09/06/2006)
09/07/2006	<u>35</u>	RETURN of third party citation to discover assets executed on 9/7/06 as to Chicago Public School Teacher's Pension Fund (Attachment). (yap,) (Entered: 09/11/2006)
12/07/2006	<u>36</u>	MOTION by United States of America for order as to Muhammad Abdullah <i>AGREED MOTION FOR ORDER IMPOSING LIEN AND TURNOVER</i> (Childs, Melissa) (Entered: 12/07/2006)
12/07/2006	<u>37</u>	NOTICE of Motion by Melissa A Childs for presentment of motion for order <u>36</u> before Honorable William J. Hibbler on 12/13/2006 at 09:30 AM. (Childs, Melissa) (Entered: 12/07/2006)
12/13/2006	<u>38</u>	MINUTE entry before Judge William J. Hibbler as to Muhammad Abdullah: Agreed motion for order imposing lien <u>36</u> is granted. Enter Order. Mailed notice (yap,) (Entered: 12/18/2006)
12/13/2006	<u>39</u>	ORDER as to Muhammad Abdullah Signed by Judge William J. Hibbler on 12/13/06. (yap,) (Entered: 12/18/2006)
12/13/2006	<u>40</u>	MINUTE entry before Judge William J. Hibbler as to Abdullah: Agreed motion for Turnover Order is granted. Enter Turnover Order in favor of the United States of America and against Chicago Board of Education. Mailed notice (yap,) (Entered: 12/18/2006)
12/13/2006	<u>41</u>	TURNOVER ORDER as to Muhammad Abdullah Signed by Judge William J. Hibbler on 12/13/06. (yap,) (Entered: 12/18/2006)

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