

AB:PS/CMP
F# 2010R00093

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JAN 05 2012 ★

BROOKLYN OFFICE

UNITED STATES OF AMERICA

INDICTMENT

- against -

Cr. No. _____
(T. 8, U.S.C., §§
1324(a)(1)(A)(iv),
1324(a)(1)(A)(v)(I),
1324(a)(1)(B)(i),
1324(a)(1)(B)(iii),
1324(a)(1)(B)(iv),
1324(a)(2)(B)(ii) and
1324(b); T. 18, U.S.C. §§
2, 371, 982(a)(6), 982(b)
and 3551 et seq.; T. 21,
U.S.C. § 853(p))

DEME NIKQI,
also known as "Dema Nikic,"
"Dema Rustema Nikci,"
"Dino Rusani," "Deme,"
"Dragan," "Gjagji" and "Zoki,"

[REDACTED]

Defendants.

----- X

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this Indictment, unless stated otherwise:

1. The defendants, DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

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participated in an alien smuggling organization, pursuant to which nationals of Kosovo (the "Kosovars") were brought to the United States and encouraged and induced to come to the United States in return for profit and financial gain.

2. The Kosovars, whose identities are known the Grand Jury and who are identified below as "John Doe 1 through 13," were not authorized to come to, enter or reside in the United States.

3. The defendant NIKQI, whose last known address in the United States was in the Eastern District of New York, operated primarily from Kosovo during the time period relevant to this Indictment. NIKQI orchestrated the smuggling arrangements and obtained the necessary travel documentation, such as fraudulent passports and visas, for Kosovars seeking to be smuggled into the United States. In return for these services, each Kosovar paid defendant NIKQI more than 10,000 Euros to be smuggled to the United States.

4. The defendant NIKQI arranged for the Kosovars to board flights out of various European cities and arrive in, among other places, Cancun, Mexico and Buenos Aires, Argentina, where

NIKQI's co-conspirators arranged for the Kosovars to travel via airplane, boat and/or overland to the United States - Mexican border, where they would then cross the border.

5. Defendants [REDACTED] were based in Buenos Aires, Argentina, where they made hotel and travel arrangements for the Kosovars.

6. Defendants [REDACTED] [REDACTED] arranged for the Kosovars' transport through Central America, including through Costa Rica, Nicaragua, El Salvador and Guatemala. This transport was generally overland and through water, via tractor trailer, bus, truck, boat and on foot.

7. [REDACTED] based in Mexico City, Mexico, arranged for the Kosovars' overland travel from Mexico City to the Mexican - United States border area, generally via tractor trailer to Nuevo Laredo, Mexico. Defendant [REDACTED] [REDACTED] provided housing for the Kosovars prior to their transportation to the Mexican - United States border.

COUNT ONE

(Conspiracy to Induce an Alien to Enter the United States)

8. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

9. In or about and between January 2006 and February 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME

NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally conspire to encourage and induce an alien to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

(Title 8, United States Code, Sections 1324(a)(1)(A)(v)(I) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO

(Conspiracy to Bring an Alien to the United States)

10. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

11. In or about and between January 2006 and February 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino

Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally conspire to bring an alien to the United States, knowing and in reckless disregard of the fact that the alien had not received prior official authorization to come to, enter and reside in the United States, in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii).

12. The object of the conspiracy was to profit, receive consideration, and make money by bringing aliens to and smuggling aliens into the United States.

13. In furtherance of the conspiracy and to effect its objectives, within the Eastern District of New York and elsewhere, at least one of the conspirators, together with others, committed or caused to be committed, among others, at least one of the following overt acts:

OVERT ACTS

a. In or about December 2006, the defendant NIKQI, in exchange for payment, obtained for John Doe #1 a Mexican visa.

b. In or about January 2007, the defendant [REDACTED] picked up John Doe #2 from the airport in Argentina.

c. In or about January 2008, the defendant [REDACTED] accepted payment from John Doe #4.

d. In or about August 2008, the defendant [REDACTED] guided John Doe #6 to the Guatemalan border.

e. In or about September 2008, the defendant [REDACTED] guided John Doe #7 to Guatemala City.

f. In or about October 2008, the defendant [REDACTED] instructed John Doe #3 to retrieve money that had been wired to Mexico City.

g. In or about October 2008, the defendant [REDACTED] accepted a cash payment from John Doe #8 sent by a co-conspirator.

h. In or about December 2009, the defendant [REDACTED] provided lodging for John Doe #11 in Mexico.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT THREE

(Inducement of an Alien to Enter the United States -
John Doe #1)

14. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

15. In or about and between December 2006 and January 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," and [REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #1, an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FOUR
(Alien Smuggling - John Doe #1)

16. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

17. In or about and between December 2006 and January 2007, both dates being approximate and inclusive, within the Eastern District of New York elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," and [REDACTED]

also known as [REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #1 to the United States, knowing and in reckless disregard of the fact that such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FIVE

(Inducement of an Alien to Enter the United States - John Doe #2)

18. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

19. In or about and between January 2007 and March 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #2,

an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SIX

(Alien Smuggling - John Doe #2)

20. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

21. In or about and between January 2007 and March 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED] [REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #2 to the United States, knowing and in reckless disregard of


the fact that such alien had not received prior official authorization to come to, enter and reside in the United States.

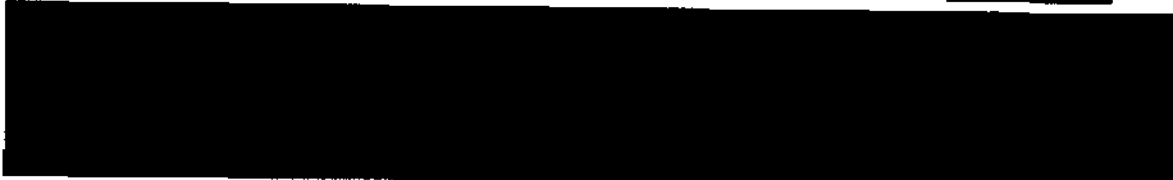
(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SEVEN

(Inducement of an Alien to Enter the United States - John Doe #3)

22. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

23. In or about late 2006 and between October 2008 and November 2008, all dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," 


together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #3, an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States,


knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law.

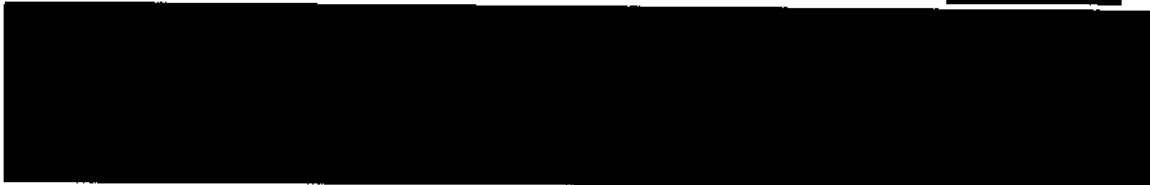
(Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT EIGHT

(Alien Smuggling - John Doe #3)

24. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

25. In or about late 2006 and between October 2008 and November 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," 


together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #3 to the United States, knowing and in

reckless disregard of the fact that such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT NINE
(Inducement of an Alien to Enter the United States -
John Doe #4)

26. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

27. In or about and between August 2007 and April 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #4, an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry

and residence was and would be in violation of law and during and in relation to which the defendants caused serious bodily injury to and placed in jeopardy the life of John Doe #4.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv), 1324(a)(1)(B)(i), and 1324(a)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TEN

(Alien Smuggling - John Doe #4)

28. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

29. In or about and between August 2007 and April 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED]

together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #4 to the United States, knowing and in

reckless disregard of the fact that such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT ELEVEN

(Inducement of an Alien to Enter the United States -
John Doe #5)

30. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

31. In or about and between January 2008 and May 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki,"

together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #5, an alien whose identity is known to the Grand Jury, to come to, enter and

reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWELVE

(Alien Smuggling - John Doe #5)

32. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

33. In or about and between January 2008 and May 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #5 to the United States, knowing and in reckless disregard of the fact that

such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTEEN

(Inducement of an Alien to Enter the United States - John Doe #6)

34. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

35. In or about and between August 2008 and September 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #6, an alien whose identity is known to the Grand Jury, to come to, enter and reside

in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FOURTEEN
(Alien Smuggling - John Doe #6)

36. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

37. In or about and between August 2008 and September 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki,"

[REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #6 to the United States, knowing and in reckless disregard of the fact that

such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FIFTEEN

(Inducement of an Alien to Enter the United States - John Doe #7)

38. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

39. In or about and between August 2008 and October 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #7, an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law and during and in relation to which the

defendants caused serious bodily injury to and placed in jeopardy the life of John Doe #7.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv), 1324(a)(1)(B)(i) and 1324(a)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SIXTEEN
(Alien Smuggling - John Doe #7)

40. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

41. In or about and between August 2008 and October 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKOI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #7 to the United States, knowing and in reckless disregard of the fact that

such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SEVENTEEN

(Inducement of an Alien to Enter the United States - John Doe #8)

42. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

43. In or about and between October 2008 and November 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #8, an alien whose identity is known to the Grand Jury, to come to, enter and

reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT EIGHTEEN

(Alien Smuggling - John Doe #8)

44. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

45. In or about and between October 2008 and November 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #8 to the United States, knowing and in reckless disregard of the fact that

such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT NINETEEN

(Inducement of an Alien to Enter the United States - John Doe #9)

46. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

47. In or about and between October 2008 and November 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #9, an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States, knowing and in reckless disregard of

the fact that such coming to, entry, and residence was and would be in violation of law.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY
(Alien Smuggling - John Doe #9)

48. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

49. In or about and between October 2008 and November 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #9 to the United States, knowing and in reckless disregard of the fact that

such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-ONE
(Inducement of an Alien to Enter the United States -
John Doe #10)

50. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

51. In or about and between August 2009 and November 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #10, an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States,

knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-TWO
(Alien Smuggling - John Doe #10)

52. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

53. In or about and between August 2009 and November 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki,"

[REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #10 to the United States, knowing and in

reckless disregard of the fact that such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-THREE

(Inducement of an Alien to Enter the United States -
John Doe #11)

54. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

55. In or about and between August 2009 and December 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #11, an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States, knowing and in reckless

disregard of the fact that such coming to, entry and residence was and would be in violation of law.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-FOUR
(Alien Smuggling - John Doe #11)

56. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

57. In or about and between August 2009 and December 2009, both dates being approximate and inclusive, within the Eastern District of New York elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," [REDACTED]

[REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #11 to the United States, knowing and in reckless disregard of

the fact that such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-FIVE

(Inducement of an Alien to Enter the United States - John Doe #12)

58. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

59. In or about and between March 2009 and February 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKOI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," and [REDACTED] together with [REDACTED] others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #12, an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law and

during and in relation to which the defendants caused serious bodily injury to and placed in jeopardy the life of John Doe #12.

(Title 8, United States Code, Sections 1324(a)(1)(A)(iv), 1324(a)(1)(B)(i), and 1324(a)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-SIX
(Alien Smuggling - John Doe #12)

60. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

61. In or about and between March 2009 and February 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," and [REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #12 to the United States, knowing and in reckless disregard of the fact that such alien had not received prior official authorization to come to, enter and reside in the United States.


(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-SEVEN

(Inducement of an Alien to Enter the United States -
John Doe #13)

62. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

63. In or about and between December 2009 and February 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere in the extraterritorial jurisdiction of the United States, the defendants DEME NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," and


together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally encourage and induce John Doe #13, an alien whose identity is known to the Grand Jury, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law, and resulting in the death of John Doe #13.

(Title 8, United States Code, Sections
1324(a)(1)(A)(iv), 1324(a)(1)(B)(i) and 1324(a)(1)(B)(iv); Title
18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-EIGHT
(Alien Smuggling - John Doe #13)

64. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

65. In or about and between December 2009 and February 2010, both dates being approximate and inclusive, within the Eastern District of New York elsewhere, the defendants DEMA NIKQI, also known as "Dema Nikic," "Dema Rustema Nikci," "Dino Rusani," "Deme," "Dragan," "Gjagji" and "Zoki," and [REDACTED] together with others, for the purpose of commercial advantage and private financial gain, did knowingly and intentionally bring and attempt to bring John Doe #13 to the United States, knowing and in reckless disregard of the fact that such alien had not received prior official authorization to come to, enter and reside in the United States.

(Title 8, United States Code, Section 1324(a)(2)(B)(ii); Title 18, United States Code, Sections 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

66. The United States hereby gives notice to the defendants charged in Counts One through Twenty-Eight that, upon their conviction of any such offense, the government, in accordance with Title 18, United States Code, Section 982(a)(6)

and Title 8, United States Code, Section 1324(b), will seek forfeiture of: (a) any conveyance, including any vessel, vehicle, or aircraft used in the commission of the offense; (b) any property real or personal (i) that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense, or (ii) that is used to facilitate, or is intended to be used to facilitate, the commission of the offense; and (c) the gross proceeds of such offense.

67. If any of the above-described forfeitable property, 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 party;

(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 that cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 18, United States Code Section 982(b), to seek forfeiture of any other property of such defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 8, United States Code, Section 1324(b); Title 18, United States Code, Sections 982(a)(6) and 982(b); Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON


LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

LANNY A. BREUER
ASSISTANT ATTORNEY GENERAL
UNITED STATES DEPARTMENT OF JUSTICE

UNITED STATES DISTRICT COURT

EASTERN District of **NEW YORK**
CRIMINAL Division

THE UNITED STATES OF AMERICA

Deme Nickbist
[REDACTED]

INDICTMENT

THE U.S.C., §§ 1324(a)(1)(A)(iv), 1324(a)(1)(A)(v)(I),
1324(a)(1)(B)(i), 1324(a)(1)(B)(ii), 1324(a)(1)(B)(iv), 1324(a)(2)(B)(ii)*
1324(b), Title 18, U.S.C. §§ 2, 371, 982(a)(6), 982(b) + 3551 e. + SEC,
Title 21, U.S.C. § 853(p)

A true bill.

Foreman

Filed in open court this _____ day.

of _____ A.D. 19 _____

Clerk

Bail \$ _____