

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Robert B. Kugler
 :
 v. : Crim. No. 07-459 (RBK)
 :
 MOHAMAD IBRAHIM SHNEWER, :
 DRITAN DUKA, :
 a/k/a "Tony Duka," :
 ELJVIR DUKA, :
 a/k/a "Sulayman," :
 SHAIN DUKA, :
 a/k/a "Shaheen," and :
 SERDAR TATAR :

JURY VERDICT FORM

COUNT 1

1. Count 1 of the Indictment charges that from on or about January 3, 2006 to on or about May 7, 2007, defendants MOHAMAD IBRAHIM SHNEWER, DRITAN DUKA, also known as "Tony Duka," ELJVIR DUKA, also known as "Sulayman," SHAIN DUKA, also known as "Shaheen," and SERDAR TATAR knowingly and willfully conspired to kill officers and employees of the United States and of an agency in the Executive Branch of the United States Government, namely, members of the uniformed services, while such officers and employees were engaged in and on account of the performance of official duties, or persons assisting such officers and employees in the performance of such duties and on account of that assistance.

A. With respect to Count 1 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant MOHAMAD IBRAHIM SHNEWER conspired with one or more persons to kill United States military personnel?

_____ No (Not Guilty)

✓ Yes (Guilty)

B. With respect to Count 1 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant DRITAN DUKA, also known as "Tony Duka," conspired with one or more persons to kill United States military personnel?

 No (Not Guilty) ✓ Yes (Guilty)

C. With respect to Count 1 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant ELJVIR DUKA, also known as "Sulayman," conspired with one or more persons to kill United States military personnel?

 No (Not Guilty) ✓ Yes (Guilty)

D. With respect to Count 1 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant SHAIN DUKA, also known as "Shaheen," conspired with one or more persons to kill United States military personnel?

 No (Not Guilty) ✓ Yes (Guilty)

E. With respect to Count 1 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant SERDAR TATAR conspired with one or more persons to kill United States military personnel?

 No (Not Guilty) ✓ Yes (Guilty)

COUNT 2

2. Count 2 of the Indictment charges that from on or about January 3, 2006 to on or about May 7, 2007, defendants MOHAMAD IBRAHIM SHNEWER, DRITAN DUKA, ELJVIR DUKA, SHAIN DUKA, and SERDAR TATAR knowingly and willfully attempted to kill officers and employees of the United States and of an agency in the Executive Branch of the United States Government, namely, members of the uniformed services, while such officers and employees were engaged in and on account of the performance of official duties, or persons assisting such officers and employees in the performance of such duties and on account of that assistance.

A. With respect to Count 2 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant MOHAMAD IBRAHIM SHNEWER attempted to kill United States military personnel?

No (Not Guilty) Yes (Guilty)

B. With respect to Count 2 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant DRITAN DUKA, also known as "Tony Duka," attempted to kill United States military personnel?

No (Not Guilty) Yes (Guilty)

C. With respect to Count 2 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant ELJVIR DUKA, also known as "Sulayman," attempted to kill United States military personnel?

No (Not Guilty) Yes (Guilty)

D. With respect to Count 2 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant SHAIN DUKA, also known as "Shaheen," attempted to kill United States military personnel?

No (Not Guilty) Yes (Guilty)

E. With respect to Count 2 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant SERDAR TATAR attempted to kill United States military personnel?

No (Not Guilty) Yes (Guilty)

COUNT 3

3. Count 3 of the Indictment charges that from on or about March 15, 2007 to on or about May 7, 2007, defendants DRITAN DUKA, ELJIVIR DUKA, and SHAIN DUKA knowingly and willfully possessed or attempted to possess firearms in furtherance of a crime of violence for which the person may be prosecuted in a court of the United States, namely, the conspiracy to murder members of the United States military, as charged in Count 1 of the Indictment, and the attempted murder of members of the United States military, as charged in Count 2 of the Indictment.

A. With respect to Count 3 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant DRITAN DUKA possessed or attempted to possess firearms in furtherance of the crimes charged in either Count 1 or Count 2 of the Indictment?

No (Not Guilty)

Yes (Guilty)

B. With respect to Count 3 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant ELJIVIR DUKA possessed or attempted to possess firearms in furtherance of the crimes charged in either Count 1 or Count 2 of the Indictment?

No (Not Guilty)

Yes (Guilty)

C. With respect to Count 3 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant SHAIN DUKA possessed or attempted to possess firearms in furtherance of the crimes charged in either Count 1 or Count 2 of the Indictment?

No (Not Guilty)

Yes (Guilty)

COUNT 4

4. Count 4 of the Indictment charges that from on or about March 16, 2007 to on or about May 7, 2007, defendant MOHAMAD IBRAHIM SHNEWER knowingly and willfully attempted to possess firearms in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, namely, the conspiracy to murder members of the United States military, as charged in Count 1 of the Indictment, and the attempted murder of members of the United States military, as charged in Count 2 of the indictment.

A. With respect to Count 4 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant MOHAMAD IBRAHIM SHNEWER attempted to possess firearms in furtherance of the crimes charged in either Count 1 or Count 2 of the Indictment?

_____ No (Not Guilty)

Yes (Guilty)

COUNT 5

5. Count 5 of the Indictment charges that on or about May 7, 2007, defendants DRITAN DUKA and SHAIN DUKA knowingly possessed or attempted to possess machine guns.

A. With respect to Count 5 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant DRITAN DUKA possessed or attempted to possess machine guns?

 No (Not Guilty)

 ✓ Yes (Guilty)

B. With respect to Count 5 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant SHAIN DUKA possessed or attempted to possess machine guns?

 No (Not Guilty)

 ✓ Yes (Guilty)

COUNT 6

6. Count 6 of the Indictment charges that on or about May 7, 2007, defendants DRITAN DUKA and SHAIN DUKA, being aliens who were illegally and unlawfully in the United States, did knowingly possess or attempt to possess in and affecting commerce the following seven firearms:

four Colt Model M16A1, .223 caliber machineguns;

two Norinco, Model AK47, 7.62X39 millimeter caliber, semiautomatic rifles; and

one Polytech, Model AKS-762, 7.62X39 millimeter caliber, semiautomatic rifle,

- A. With respect to Count 6 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant DRITAN DUKA was an illegal alien who possessed or attempted to possess a firearm which traveled in or affected commerce?

No (Not Guilty)

Yes (Guilty)

- B. With respect to Count 6 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant SHAIN DUKA was an illegal alien who possessed or attempted to possess a firearm which traveled in or affected commerce?

No (Not Guilty)

Yes (Guilty)

COUNT 7

7. Count 7 of the Indictment charges that from on or about January 31, 2007 to on or about February 1, 2007, defendants DRITAN DUKA, ELJVIR DUKA and SHAIN DUKA, being aliens who were illegally and unlawfully in the United States, did knowingly possess in and affecting commerce ammunition or the following four firearms:

one Mossberg, Model 500, 12 gauge, pump action shotgun;

one Beretta, Model CX4 Storm, 9 millimeter caliber rifle;

one Yugoslavian Model SKS, 7.62X39 millimeter caliber, semiautomatic rifle; and,

one Beretta, Model 92FS, 9 millimeter caliber pistol.

- A. With respect to Count 7 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant DRITAN DUKA was an illegal alien who possessed a firearm which traveled in or affected commerce?

 No (Not Guilty)

 ✓ Yes (Guilty)

With respect to Count 7 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant DRITAN DUKA was an illegal alien who possessed ammunition which traveled in or affected commerce?

 No (Not Guilty)

 ✓ Yes (Guilty)

- B. With respect to Count 7 of the Indictment, do you the jury unanimously find that the United States proved beyond a reasonable doubt that defendant ELJVIR DUKA was an illegal alien who possessed a firearm which traveled in or affected commerce?

 No (Not Guilty)

 ✓ Yes (Guilty)

