

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA ) Criminal Number  
v. )  
EYAD M. ALRABABAH, ) Count 1: 18 U.S.C. § 1028(f) (conspiracy to commit  
Defendant ) identification document fraud)  
) Count 2: 18 U.S.C. § 1028(a)(1), (b)(1)(A)(ii),  
) and (c)(3)(A) (unlawful production of identification  
) documents), and § 2 (aiding and abetting)

INDICTMENT

MARCH 2002 TERM – AT ALEXANDRIA

Introductory Allegations to Counts 1 and 2

THE GRAND JURY CHARGES THAT:

1. To obtain a Virginia identification card or Virginia driver's license, an applicant must ordinarily present the Virginia Department of Motor Vehicles (DMV) proof of identity and Virginia residence. The DMV requires two official identification documents as proof of identity and one official or business document as proof of Virginia residence. Prior to September 21, 2001, however, applicants lacking the required documentary proof of identity and Virginia residence could complete and submit DMV forms DL6 and DL51 in lieu of the required documents.

2. DMV form DL6 is an identity affidavit. Prior to September 21, 2001, the DMV would accept a properly completed DL6 form in lieu of one of the two identification documents required to apply for a license or identification card. The form requires the applicant to provide and to swear to his name, address, and basic biographic information. The form further requires the sworn, notarized certification of an attorney. Through the certification, the attorney swears

that he personally knows the applicant and has verified the applicant's identity by reviewing an identity document presented by the applicant. This certification must be made in the presence of a notary public, and the notary must sign and date the form as well.

3. DMV form DL51 is a residency certification. Prior to September 21, 2001, the DMV would accept a properly completed DL51 form in lieu of documentary proof of Virginia residence. The form requires the applicant to provide and to swear to his name and to his place and length of Virginia residence. The form further requires the sworn, notarized certification of a Virginia resident. Through the certification, the Virginia resident swears that he is personally acquainted with the applicant and that the applicant lives at the Virginia address listed on the form. This certification must be made in the presence of a notary public or DMV employee, and the notary or employee must sign and date the form as well.

4. Virginia identity affidavits, identification cards, and driver's licenses are identification documents made and issued by and under the authority of the Commonwealth of Virginia.

#### Count 1

#### Conspiracy to Commit Identification Fraud

THE GRAND JURY FURTHER CHARGES THAT:

From in and around April 2000 through in and around September 2000, in Arlington, Virginia, and elsewhere within the Eastern District of Virginia, the defendant, EYAD M. ALRABABAH, knowingly and unlawfully conspired with persons known and unknown to the grand jury to produce identification documents without lawful authority when such production would be in and would affect interstate commerce. Specifically, from in and around April 2000 through in and around September 2000, the defendant agreed to assist individuals to obtain Virginia identification cards and driver's licenses from the Virginia Department of Motor Vehicles (DMV) by fraudulent means.

#### Purpose of the Conspiracy

The purpose of the conspiracy was to obtain Virginia identification documents and driver's licenses by fraud through the submission of false information to the Virginia DMV during the application process.

#### Overt Acts

In furtherance of the aforementioned conspiracy and to effect the objects thereof, the defendant and his co-conspirators performed the following overt acts in the Eastern District of Virginia and elsewhere:

1. On or about July 21, 2000, the defendant and a coconspirator traveled from New Jersey to Virginia.
2. On or about July 21, 2000, the defendant assisted the coconspirator to complete a DMV identity affidavit (DMV form DL6) and a DMV residency certification (DMV form DL51) in the coconspirator's name.
3. On or about July 21, 2000, the coconspirator falsely affirmed that he lived at the address 5913 Leesburg Pike, Falls Church, Virginia 22041, on the identity affidavit.
4. On or about July 21, 2000, the coconspirator falsely affirmed that he lived at the address 5913 Leesburg Pike, Falls Church, Virginia 22041, on the residency certification.
5. On or about July 21, 2000, the defendant falsely listed his own address as 127 S. Fairfax Street, #134, Alexandria, Virginia 22314, on the same Virginia residency certification.
6. On or about July 21, 2000, the defendant falsely affirmed that the coconspirator lived at 5913 Leesburg Pike, Falls Church, Virginia 22041, on the same Virginia residency certification.
7. On or about July 21, 2000, the coconspirator applied for a Virginia identification card at the DMV office in Arlington, Virginia. In support of this application, the coconspirator submitted to the DMV the identity affidavit and the residency certification that he and the defendant had completed.
8. On or about July 21, 2000, the coconspirator received a Virginia identification card from employees of the Virginia DMV at the DMV office in Arlington, Virginia.

9. On or about July 21, 2000, the coconspirator paid the defendant approximately \$600 in return for the defendant's assistance.

10. From in and around April 2000 through in and around September 2000, the defendant assisted at least five other individuals to complete fraudulent DMV residency certifications that the individuals then submitted to the DMV in support of applications for Virginia identification cards or driver's licenses.

(In violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), (c)(3)(A), and (f).)

Count 2

Unlawful Production of Identification Documents

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 21, 2000, in Arlington, Virginia, within the Eastern District of Virginia, the defendant, EYAD M. ALRABABAH, knowingly and without lawful authority produced an identification document, and aided and abetted the same, when such production was in and affected interstate commerce. Specifically, on or about July 21, 2000, the defendant willfully caused agents of the Virginia DMV to produce a Virginia identification card for another person by assisting that same person to complete and to submit to the DMV a DMV identity affidavit (DMV form DL6) and a DMV residency certification (DMV form DL51) that contained false information and affirmations.

(In violation of Title 18, United States Code, Section 1028(a)(1), (b)(1)(A)(ii), and (c)(3)(A), and Section 2.)

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

Date:

PAUL J. MCNULTY  
UNITED STATES ATTORNEY

By:  
Justin W. Williams  
Assistant United States Attorney  
Chief, Criminal Division\_\_\_\_\_

John T. Morton  
Assistant United States Attorney