

In the Name of Allah the Most Gracious and the Most Merciful
IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

06 Cr. 442 (LAP)

v.

Affidavit of Syed Fahad Hashmi

SYED HASHMI,

Defendant.

AFFIDAVIT

1. On June 6, 2006 I went to Heathrow Airport to catch my scheduled flight to Pakistan.
2. I checked my luggage, which was one large suitcase, with the airline at the ticket/check-in area. I then went to go to my gate, carrying my back pack with me.
3. I went through the airport security area and made my way to the Passport/Visa control area.
4. At the Passport/Visa control area, after I presented my passport, an officer directed me to come with him. Because he was clearly a police officer telling me to go with him, I felt there was no option but to go with him.
5. As I walked where the officer directed me, other officers and individuals began walking with us. All told, I was escorted by about five people to a private room about 30 feet or so away. It was my definite impression that all five people were law enforcement and that I was not free to leave.

6. Upon being directed to go into the room, I immediately saw that there were two men in suits who appeared to be waiting for me in the room.
7. I asked one of the men what was this about. He in turn asked me to confirm my identity, which I did. I then asked again what was this about.
8. I was told that I was being arrested for extradition to America and immediately my arm was grabbed and I felt handcuffs being applied tightly to my wrist.
9. I instinctively pulled my wrist back because of the painful manner in which the handcuff was being tightened and the way my arm was being twisted.
10. Then I remember being pushed down to the floor. I felt one of my arms being twisted behind my back. I felt more than one knee in my back. I also felt someone grab one of my feet from behind and twist it while my arms were behind handcuffed behind my back.
11. The handcuffs caused me great pain and I yelled but I never threatened anyone. The police then picked me up and took me out of the room. While in the room, no one ever informed me of my right to remain silent.
12. Sometime after being arrested I told the police that I wanted to speak to an attorney and that I did not want to speak to them.
13. The authorities took my luggage, back pack, personal effects, and clothes. I was jailed and eventually detained in Belmarsh prison. While detained, I was represented by counsel.
14. On or about May 25, 2007 I was still imprisoned at Belmarsh. A prison official told me I needed to go with him to be drug tested. I found out later that there was

- no drug test; a designated search team went into me cell and packed up all of my private belongings. Included in my belongings were my personal legal papers.
15. I was then taken to a secure police van for transport and told that I was being extradited to the United States. I asked the official if I could call my lawyer to inform him of the extradition because no one had told me I was going to be extradited. The official told me that I would be able to call my lawyer at the airport.
 16. I was then driven in the police van to Heathrow airport. While being driven one of the British officers told me, "We're going to send you to Cuba."
 17. The van kept driving. When we reached the airport, the van drove directly onto the airport field, right up to a small jet plane that had "United States of America" printed on the side.
 17. Then I saw men wearing shirts that said "U.S. Marshal."
 18. The British officers then handed me over to the Americans. I saw three U.S. Marshals, two FBI agents, and three members of the flight crew.
 19. I asked an American official if I could call my attorney. He said no.
 20. The U.S. Marshals told me to get on the plane; I complied.
 21. Once on the plane, the officials made me strip off all of my clothes to be searched. After the search, I was permitted to put my clothes back on.
 22. The officials then very tightly put a chain around my waist. Other chains were put on me as well and the strings were taken out of my shoes.
 23. I was told that once the plane was in the air, I would not be permitted to use the bathroom.

24. Once flying, two FBI agents approached me and asked me if I would waive my rights and speak to them. They placed a written waiver form in front of me and asked me to sign it.
25. I refused to sign the waiver and told them that I did not want to speak to them and that I had a lawyer.
26. During the entire flight I kept to myself and did not talk to the officials.
27. Upon my return to the United States, no one ever returned my personal property that was taken from me from Heathrow airport on June 6, 2006 or my personal property, including my legal papers, that I had in my jail cell at Belmarsh.

Under pains and penalty of perjury, I affirm that the foregoing statement is true.

Dated: New York, New York
January 9, 2009


Syed Fahad Hashmi