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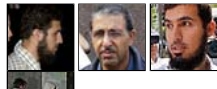
## NYC Terror Suspect Held Without Bail in Connection to Alleged Transit Bomb Plot

Monday, September 21, 2009  
**FOX NEWS**

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Sept. 19: Terrorism suspect Najibullah Zazi is arrested by FBI agents in Aurora, Colo.



**A judge has ordered an Afghanistan-born Colorado man who allegedly received Al Qaeda training and had bomb-making instructions on his computer be held pending a detention hearing Thursday.**

Investigators say Najibullah Zazi, a 24-year-old airport shuttle driver, played a direct role in an alleged terror plot that unraveled during a trip to New York City around the anniversary of the Sept. 11 attacks. He has been charged with lying to the government in a matter involving terrorism.

Zazi's father also appeared in court Monday and was expected to be released within 48 hours and allowed to return home with an ankle bracelet on a \$50,000 unsecured bond.

An associate, New York imam Ahmad Wais Afzali, appeared in federal court in Brooklyn and will be held without bond until Thursday, when a second hearing is scheduled in his case. All three of the accused face the same charge of lying to federal officials.

Afzali, a 37-year-old imam who runs a funeral parlor in Queens, has worked as an informant for New York police in the past but is accused of lying about tipping off Zazi ahead of his arrest by federal officials.

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Investigators said they found notes on bomb-making instructions that appear to match Zazi's handwriting, and discovered his fingerprints on materials — batteries and a scale — that could be used to make explosives.

Publicly, law enforcement officials have repeatedly said they are unaware of a specific time or target for any

possible attacks. Privately, officials speaking on condition of anonymity because they weren't authorized to discuss the case said investigators have worried most about the possible use of backpack bombs on New York City mass transit trains, similar to attacks carried out in London and Madrid.

Backpacks and cell phones were taken from apartments in the Queens raids last week.

A joint FBI-New York Police Department task force feared Zazi may have been involved in a potential plot involving hydrogen peroxide-based explosives like those cited in an intelligence warning issued last week, according to two law enforcement officials, who spoke on condition of anonymity because they were not authorized to speak about the investigation.

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On Monday, federal officials reminded law enforcement across the country that rail and transit systems can be vulnerable to terrorist attacks.

In a joint assessment, the FBI and Homeland Security Department warned that improvised explosive devices are the most common tactic to blow up mass transit and rail systems overseas. And they noted incidents where homemade bombs made with various types of peroxide.

In the assessment, obtained by The Associated Press, officials recommended that transit system security officials conduct random sweeps at terminals and stations and that law enforcement make random patrols and board some trains and buses.

Zazi and his 53-year-old father, Mohammed Wali Zazi, were arrested Saturday in Denver. Afzali,

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who is awaiting his second court appearance, was arrested in New York, where he is an imam at a mosque in Queens.

The younger Zazi has publicly denied being involved in a terror plot. His attorney, Arthur Folsom, dismissed as "rumor" any notion that his client played a crucial role.

Mohammed Zazi and Afzali are accused of lying to FBI agents about calls between Denver and New York. An affidavit accuses Afzali of lying about a call in which he told Najibullah Zazi that he had spoken with authorities.

Zazi's father is accused of lying when he told authorities he didn't know anyone by the name of Afzali. The FBI said it recorded a conversation between Mohammed Zazi and Afzali. Prosecutors have said they're not seeking to detain Zazi's father.

Carl Tobias, a University of Richmond law professor who tracks such investigations, said authorities could have made the arrests because they feared too much information was getting to the suspects. Additional charges could be filed later, he said.

Ron Kuby, Afzali's attorney, has said the government may have been forced to act after Najibullah Zazi went to New York. Zazi has said he drove there in September to resolve issues with a coffee cart he owns in Manhattan.

Kuby said Monday that his client had fully cooperated with the FBI, and was aware all along that his phone calls were being monitored.

"Why in the world is he going to lie about the content of a conversation that he knew was being taped?" Kuby said outside the Brooklyn courthouse where Afzali was to appear later in the day.

He accused authorities of trying to make Afzali a scapegoat for a botched investigation.

"The government wants somebody to blame for the fact that they haven't caught any terrorists," he said.

An arrest warrant affidavit alleges Zazi admitted to FBI agents that he received instruction from Al Qaeda operatives on subjects such as weapons and explosives. It also says he received the training in the federally administered tribal areas of Pakistan.

The FBI said it found images of handwritten notes on a laptop containing formulas and instructions for making a bomb, detonators and a fuse. Zazi told the FBI that he must have unintentionally downloaded the notes as part of a religious book and that he deleted the book "after realizing that its contents discussed jihad."

An affidavit says the handwriting on the notes appeared to be Zazi's. It also says they were e-mailed in December as an attachment between accounts believed to be owned by Zazi, including an account that originated in Pakistan.

FBI agents say Najibullah Zazi traveled to Pakistan twice this year. Zazi says he was visiting his wife, who lives in the Peshawar region.

Zazi was born in Afghanistan, moved to Pakistan at age 7 and emigrated to the United States in 1999. He returned to Pakistan in 2007 and 2008 to visit his wife, according to Folsom.

Aaron Donovan, spokesman for the Metropolitan Transportation Authority, said the MTA was in touch with the New York City area's joint terrorism task force, but wouldn't comment Monday on any communications it had received from the NYPD or FBI. The agency operates the city's subways — carrying about 8 million daily riders — and commuter rail lines.

*The Associated Press contributed to this report.*

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