

FILED

United States District Court

SEP 04 2009

EASTERN DISTRICT OF NORTH CAROLINA

DENNIS P. WATSON, CLERK
US DISTRICT COURT, EDNC
BY [Signature] DEP. CLK

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

ROSNAH HASSAN THOMASON

CASE NUMBER: 5:09mj 1756

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 18, 2008 in Johnston County, in the Eastern District of North Carolina defendant(s) did, (Track Statutory Language of Offense) knowingly and willfully make materially false, fictitious, or fraudulent statements or representations,

in violation of Title 18 United States Code, Section(s) 1001(a)(2)

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:
Official Title

Please see the attached Affidavit of Michael Sutton, which is hereby incorporated by reference.

Continued on the attached sheet and made a part hereof: Yes No
[Signature] Signature of Complainant

Sworn to before me and subscribed in my presence, Michael Sutton, Special Agent Federal Bureau of Investigation

4 September 2009 at Raleigh, North Carolina
Date City and State

JAMES E. GATES, UNITED STATES MAGISTRATE JUDGE
Name & Title of Judicial Officer [Signature] Signature of Judicial Officer

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NORTH CAROLINA
4 AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT
5

6 I, Michael Sutton, hereafter designated as Affiant,
7 having been duly sworn according to law, state and depose as
8 follows:

9 (1) I have been a Special Agent with the Federal
10 Bureau of Investigation (FBI) since 2001. I am currently
11 assigned to the Raleigh-Durham Area Safe Streets Task Force.
12 Prior to my employment with the FBI, I served with the Durham
13 County, North Carolina Sheriff's Office for five years, and
14 with the Durham, North Carolina Police Department for six
15 years. My investigative assignments have included a variety
16 of counterterrorism, white collar, organized crime, violent
17 crime, public corruption, crimes against children and
18 fugitive matters.

19 (2) The information contained in this affidavit is
20 based on my knowledge, on information provided to me by
21 witnesses and law enforcement officials and on documents I
22 have reviewed in connection with this investigation.

23 (3) Because the purpose of this affidavit is to set
24 forth only the facts necessary to establish probable cause
25 for the issuance of a complaint warrant, I have not described
26 all of the relevant facts and circumstances of which I am
27 aware. In addition, when I rely on statements made by
28 others, such statements are set forth in part and in

1 substance unless otherwise indicated.

2 BACKGROUND

3 (4) On or about May 18, 2008, at approximately
4 12:27pm, Johnston County 911 received a report of the
5 disappearance of Siraj Munir Davenport, age 3. The
6 Smithfield Police Department (SPD) responded to the
7 Brightleaf Flea Market and met with Rosnah Hassan Thomason.
8 Thomason claimed to be the child's mother and reported that
9 after purchasing some produce, she turned and the child was
10 gone.

11 (5) SPD and other resources conducted an extensive
12 search of the area. Witnesses at the flea market did not
13 remember a child with Rosnah Thomason. Further investigation
14 revealed that Thomason claimed that Siraj Davenport
15 disappeared at approximately 1100, yet Thomason left the flea
16 market, went to friend's home, reported to her that Siraj
17 Davenport was missing, and only at that time were the police
18 contacted by the friend, which was approximately one hour
19 and thirty minutes after the child allegedly went missing.

20 (6) Rosnah Thomason was interviewed on May 18,
21 2008, by FBI Agents and continued to report her child went
22 missing from the Brightleaf Flea Market on that day.
23 Thomason further reported that on Saturday, May 17, 2008, she
24 and the child spent the day at a park in Raleigh, NC, before
25 returning home and staying at their house throughout the
26 night.

27 (7) On at least two occasions Thomason reported
28 that her brother's full name was Din Hassan. Only after a

1 court ordered search of her home was completed and following
2 a deceptive outcome on a polygraph examination, did Rosnah
3 Thomason admit her brother's full name was Kamarudin Hassan.

4 (8) During that court ordered search of her home,
5 computer print outs revealed that Thomason had booked flights
6 for herself and a child, hereinafter referred to as MHK, on
7 May 12, 2008. A check with Raleigh-Durham International
8 Airport revealed that on Saturday, May 17, 2008, Thomason and
9 MHK traveled from Raleigh-Durham International Airport to
10 Atlanta, and then onto Minneapolis-St. Paul. Thomason then
11 returned the same day to Raleigh-Durham International
12 Airport, without MHK. This was in opposition to her prior
13 statement that she and the child spent the day at a park in
14 Raleigh, NC, and spent the entire evening together at their
15 home in Four Oaks, NC.

16 (9) Also located during the court ordered search
17 was an internet printout on how to report a child missing.
18 The date the document was printed was May 12, 2008, six days
19 prior to Thomason's claim the child suddenly went missing.

20 (10) On Monday, May 19, 2008, Thomason admitted
21 that she lied to law enforcement authorities. She claimed
22 that her brother, Kamarudin Hassan, forced her to turn over
23 her son, Siraj Davenport, to him. In a written statement
24 provided by Thomason, she claimed that in exchange for the
25 safety of her boyfriend and the child's father David
26 Davenport, Siraj Davenport and herself, Thomason had to turn
27 Siraj Davenport over to Kamarudin Hassan. In October 2008,
28 Thomason was to reclaim Siraj Davenport, when she signed over

1 her part of an inheritance. Thomason claimed the idea to
2 report Siraj Davenport missing was Kamarudin Hassan's.

3 (11) During the evening of May 19, 2008, border
4 crossing information determined that Karmarudin Hassan and
5 MHK were on a flight whose next stop was in Japan. FBI and
6 Immigration and Customs Enforcement agents met and
7 interviewed Karmarudin Hassan in Japan. Karmarudin reported
8 that MHK was his biological son and Thomason had refused to
9 return MHK to Kamarudin after the child visited Thomason.
10 Only after threats to involve authorities did Thomason agree
11 to return the child. The passport and immigration documents
12 for both Kamarudin and MHK were examined and were determined
13 to be legitimate. In emails from Thomason to Karmarudin, she
14 referred to the child as Karmarudin's son.

15 (12) At no time has Thomason been able to provide
16 any proof of a live birth of a Siraj Munir Davenport and that
17 she was his mother. She reported to a witness that Siraj
18 Davenport was born in the United States and later claimed he
19 was born in Singapore. She told law enforcement personnel
20 that Siraj Davenport was born in Singapore and that he
21 entered the United States with a passport, but that passport
22 had expired. She could not produce a passport or birth
23 certificate for the child. Border crossing records show no
24 record of a Siraj Munir Davenport ever entering or leaving
25 the United States. Border crossing records do show MHK did
26 enter the US in September 2007, at the time reported by
27 Kamarudin Hassan.

28 (13) Further investigation revealed that Thomason


1 has a son in his teens with the same first and middle names
2 as the child she reported missing. Thomason reported the
3 birth date of the alleged abducted child was August 23, 2004.
4 Her teenage son also had the month and day of birth of August
5 23. Eric Thomason, the father of the teenaged Siraj Munir,
6 and Rosnah's ex-husband, provided information, to include
7 emails from Kamarudin Hassan, that Rosnah Thomason had not
8 returned MHK to her brother, Kamarudin Hassan. Eric Thomason
9 confirmed that MHK was Karmarudin Hassan's child, not Rosnah
10 Thomason's.

11 (14) Rosnah Thomason informed a witness that she
12 had lived with friends, in Iowa, at the time she would have
13 been pregnant with a child born in August 2004. Those
14 friends were interviewed and reported that she was not
15 pregnant during the time they knew her, she was thin, and she
16 never reported that she had given birth to a child during the
17 time she resided with them. Rosnah Thomason also told a
18 witness that another individual brought Siraj Munir
19 Davenport, age 3, to NC, in September 2007, to first meet
20 David Davenport. That individual was interviewed and he
21 denied coming to NC and bringing any child to Rosnah
22 Thomason. He further reported that he had not been to the
23 state of NC since he was in the eighth grade.

24 (15) During the course of the investigation dozens
25 of local, state, federal, and international resources were
26 expended. The Charlotte Division of the FBI deployed agents
27 and support personnel from the throughout the state of NC,
28 including its Evidence Response Team, polygrapher and

1 computer forensic specialists, Behavioral Analysts from
2 Quantico, Virginia, agents from its Child Abduction Rapid
3 Deployment Team, who responded to Smithfield, NC from
4 throughout the US, and agents located in other areas of the
5 US, Japan, and Singapore. Dozens of local law enforcement
6 and search personnel expended significant resources to locate
7 the alleged missing child. The Amber Alert Network was
8 activated, the National Center for Missing and Exploited
9 Children (NCMEC) initiated a response, US assets overseas
10 were involved, and an international flight was nearly
11 diverted based on the false information provided by Rosnah
12 Thomason.

13 (15) Upon information and belief, Affiant avers
14 that on or about May 18, 2008, ROSNAH THOMASON, did knowingly
15 and willfully make materially false, fictitious, or
16 fraudulent statements or representations, in violation of
17 Title 18, United States Code 1001(a)(2). FURTHER AFFIANT
18 SAYETH NOT.

19 
20 _____
21 Michael Sutton
22 Special Agent
23 Federal Bureau of Investigation

23 Subscribed and sworn to before me this 4 day of September
24 2009

25 
26 _____
27 James E. Gates
28 United States Magistrate Judge