

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA : CRIMINAL NO.: 15-180(RBW)  
 :  
 v. :  
 :  
 OGUZHAN AYDIN, :  
 Defendant. :  
 :

UN-  
**SEALED  
FILED**  
in open court  
AUG -3 2016

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

**STIPULATED REQUEST FOR JUDICIAL REMOVAL OF DEFENDANT**

Defendant OGUZHAN AYDIN, and the United States hereby agree and stipulate pursuant to 8 U.S.C. § 1228(c)(5) to the following:

1. The defendant admits he is not a citizen or national of the United States.
2. The defendant is a native and citizen of Turkey.
3. The defendant was paroled into the United States at Houston, Texas on August 25, 2014.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court for the District of Columbia of the offense of Violation of the International Emergency Economic Powers Act, 50 U.S.C. § 1705 and the Iranian Transactions Regulations, 31 C.F.R. Part 560 and Aiding and Abetting and Causing an Act to be done, in violation of Title 18, U.S.C. § 2.
5. The defendant understands that a maximum sentence of 20 years of imprisonment, a maximum fine of \$1,000,000, and a special assessment of \$100 may be imposed for this offense.
6. Previously, on April 5, 2016, the defendant was convicted in the U.S. District Court of the Northern District of Georgia (Case No. 1:12-CR-221-02-0DE) of the offenses of Exportation of Munitions Without Required Validated Export License in violation of 22 U.S.C. § 2778, and Money Laundering in violation of 18 U.S.C. § 1956(a)(2)(A). For these offenses, defendant was sentenced to 30 months in prison, five years supervised release, and a fine of \$25,000.
7. The defendant is subject to removal from the United States pursuant to: (1) Section 212(a)(7)(A)(i) of the Immigration and Nationality Act of 1952, as amended (“INA”), 8 U.S.C. § 1182(a)(7)(A)(i), as an immigrant who at the time of application for admission is not in possession of a valid, unexpired immigrant visa, reentry permit, border crossing identification card, or other valid entry document required by this chapter, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality if such document is required under the regulations issued by the Attorney

General under Section 1181(a) of this title; (2) Section 212(a)(2)(B) of the INA, 8 U.S.C. § 1182(a)(2)(B), as an alien convicted of two or more offenses (other than purely political offenses), regardless of whether the conviction was in a single trial or whether the offenses arose from a single scheme of misconduct and regardless of whether the offenses involved moral turpitude, for which the aggregate sentences to confinement were five years or more; and (3) Section 212(a)(2)(I)(i) of the INA, 8 U.S.C. § 1182(a)(2)(I)(i), as an alien who engaged in an offense which is described in section 1956 or 1957 of title 18, United States Code (relating to laundering of monetary instruments).

8. The defendant consents to the introduction of this statement as an exhibit in the record of his judicial removal proceedings.
9. After consultation with counsel and understanding the legal consequences of doing so, the defendant knowingly and voluntarily waives the right to the notice and hearing provided for in Title 8, United States Code, Section 1228(c)(2) and further waives any and all rights to appeal, reopen, reconsider, or otherwise challenge this stipulated removal order.
10. The defendant understands and knowingly waives his right to a hearing before an immigration judge or any other authority under the Immigration and Nationality Act on the question of his removability from the United States. The defendant further understands the rights he would possess in a contested administrative removal proceeding and waives these rights, including his right to examine the evidence against him, to present evidence on his behalf, and to cross-examine witnesses presented by the government.
11. The defendant agrees to waive his rights to any and all forms of relief or protection from removal, deportation, or exclusion under the INA, as amended, and related federal regulations. These rights include, but are not limited to, the ability to apply for the following forms of relief or protection from removal: asylum; withholding of removal under Title 8, United States Code, Section 1231(b)(3); any protection from removal pursuant to Article 3 of the United Nations Convention Against Torture, including withholding or deferral of removal under 8 C.F.R. § 208; cancellation of removal; adjustment of status; registry; de novo review of a denial or revocation of temporary protected status (current or future); waivers under Title 8, United States Code, Sections 1182(h) or 1182(i); visa petitions; consular processing; voluntary departure or any other possible relief or protection from removal available under the Constitution, laws or treaty obligations of the United States. As part of this agreement, the defendant specifically acknowledges and states that the defendant has not been persecuted in, and has no present fear of persecution in, Turkey on account of his race, religion, nationality, membership in a particular social group, or political opinion. Similarly, the defendant further acknowledges and states that the defendant has not been tortured in, and has no present fear of torture in, Turkey.
12. The defendant hereby requests that an order be issued by this Court for his removal to Turkey. The defendant agrees to accept a written order of removal as a final disposition

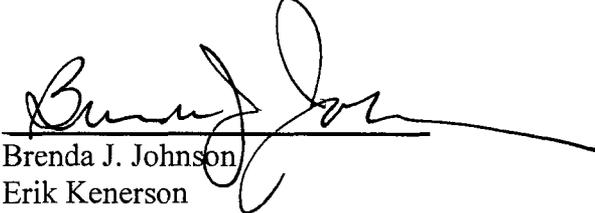
of these proceedings and waives any and all rights to challenge any provision of this agreement in any U.S. or foreign court or tribunal.

13. The defendant hereby agrees to make the judicial order of removal a public document, waiving his privacy rights, including his privacy and confidentiality rights under 8 C.F.R. § 208.6. At the request of the U.S. Attorney's Office, U.S. Immigration and Customs Enforcement ("ICE") concurs with the government's request for a judicial order of removal. As a result of the above-referenced order, upon the completion of the defendant's criminal proceedings, including any sentence of incarceration and any court-imposed supervision, the defendant shall be removed to Turkey.
14. The defendant agrees to assist ICE in the execution of his removal. Specifically, the defendant agrees to assist ICE in the procurement of any travel or other documents necessary for the defendant's removal; to meet with and to cooperate with representatives of the country or countries to which the defendant's removal is directed; and, to execute those forms, applications, or waivers needed to execute or expedite the defendant's removal. The defendant further understands that his failure or refusal to assist ICE in the execution of his removal shall breach this plea agreement and may subject the defendant to criminal penalties under Title 8, United States Code, Section 1253.
15. The defendant concedes that the entry of this judicial order of removal renders him permanently inadmissible to the United States. He agrees that he will not enter, attempt to enter, or transit through the United States without first seeking and obtaining permission to do so from the Secretary of the Department of Homeland Security or other designated representative of the United States Government.
16. The Court's failure, for any reason, to enter the judicial order of removal, shall make this plea agreement, and the promises contained herein, null and void.

ACCORDINGLY, defendant OGUZHAN AYDIN, and the United States jointly request that the Court, after imposing sentence, order that the defendant be removed from the United States so that promptly upon his release from confinement (if any), or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing, ICE may execute the order of removal according to the applicable laws and regulations.

SO STIPULATED BY THE PARTIES.

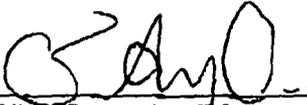
CHANNING D. PHILLIPS  
UNITED STATES ATTORNEY

  
Brenda J. Johnson  
Erik Kenerson  
Assistant United States Attorneys

**Defendant's Acceptance of Stipulated Request for Judicial Removal**

I have read this stipulation or have had it read to me, and I have carefully reviewed every part of it with my attorney. I understand the terms of this stipulation and I voluntarily agree to those terms.

8-3-16  
Date  
Defendant

  
OGUZHAN AYDIN

**Defense Counsel's Acknowledgment**

I am the attorney for Oguzhan Aydin, I have carefully discussed every part of this stipulation with my client. To the best of my knowledge, my client's decision to enter into this agreement is an informed and voluntary one.

8/3/16  
Date

  
Cynthia E. Orr, Esq.  
Counsel for the Defendant