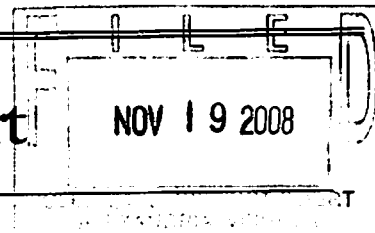


AO 91 (Rev. 5/85) Criminal Complaint



United States District Court
EASTERN DISTRICT OF VIRGINIA

UNITED STATES OF AMERICA)
)
 v.)
 DON MICHAEL AYALA)

CRIMINAL COMPLAINT

CASE NUMBER: 1:08mj 989

(Name and Address of Defendant)

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 November 4, 2008, in Chehel Gazi, Afghanistan, defendant(s) did, (Track Statutory Language of Offense)

intentionally and unlawfully kill Abdul Salam, a human being, with malice aforethought, which conduct would constitute an offense punishable by imprisonment for more than 1 year if it had been engaged in within the special maritime and territorial jurisdiction of the United States, while employed by or accompanying the Armed Forces outside the United States,

in violation of Title 18 United States Code, Section(s) 1111 and 3561

I further state that I am a U.S. Army Criminal Investigation Division Special Agent
Official Title
and that this complaint is based on the following facts:

See Attached Affidavit

Continued on the attached sheet and made a part hereof:

Yes No

Reviewed by:
AUSA - Michael E. Rich
Sworn to before me and subscribed in my presence,

Jennifer Bryan
Signature of Complainant
Jennifer L. Bryan
Special Agent
U.S. Army Criminal Investigation Division

November 19, 2008 at Alexandria, Virginia
Date City and State

T. Rawles Jones, Jr., U.S. Magistrate-Judge /s/Thomas Rawles Jones, Jr.
Name & Title of Judicial Officer Signature of Judicial Officer