No. 25-

IN THE

Supreme Court of the United States

MOHAMMAD NAUMAN CHAUDHRI, MOHAMMAD REHAN CHAUDHRI, AND ZAHIDA AMAN,

Petitioners,

v.

UNITED STATES,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

PETITION FOR A WRIT OF CERTIORARI

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QUESTION PRESENTED

When applying the plain language of a broadly worded federal criminal statue would intrude on an area historically left to the states, must a court apply the plain language without consideration of the context in which the statute was enacted or the presumption that if Congress intends to usurp authority previously left to the states it must say so explicitly?

PARTIES TO THE PROCEEDING AND RULE 29.6 STATEMENT

Petitioners Mohammad Nauman Chaudhri, Mohammad Rehan Chaudhri, and Zahida Aman were defendants in the district court and the appellants in the court of appeals.

Respondent the United States was the prosecution in the district court and the appellee in the court of appeals.

There are no corporate parties involved in this case.

RULE 14.1(B)(III) STATEMENT

This case arises from the following proceedings in the United States District Court for the Eastern District of Virginia and the United States Court of Appeals for the Fourth Circuit.

United States v. Chaudhri, et al., Nos. 23-4054, 23-4077, 23-4078 (4th Cir. final judgment Apr. 8, 2025)

United States v. Aman, et al., No. 19-CR-00085 (E.D. Va. final judgment Jan. 24, 2023)

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PETITION FOR A WRIT OF *CERTIORARI*

Petitioners Mohammad Nauman Chaudhri, Mohammad Rehan Chaudhri, and Zahida Aman (collectively, the "Petitioners") respectfully petition for a writ of *certiorari* to review the judgment and opinion of the United States Court of Appeals for the Fourth Circuit.

OPINIONS BELOW

The opinion of the United States Court of Appeals for the Fourth Circuit is reported at *United States v. Chaudhri*, 134 F.4th 166 (4th Cir. 2025), and is reproduced in the Appendix to this Petition ("Pet. App.") 1a-38a. A petition for rehearing and rehearing *en banc* sought on an issue unrelated to the issue raised in this Petition was denied by an order dated May 6, 2025, which is reproduced at Pet. App. 84a-85a. The relevant proceedings in the district court are unpublished and are reproduced at Pet. App. 39a-83a.

JURISDICTION

The United States Court of Appeals for the Fourth Circuit issued its opinion on April 8, 2025. Pet. App. 1a-38a. A petition for rehearing and rehearing *en banc* was denied by the Fourth Circuit on May 6, 2025. Pet. App. at 84-85a. This Court has jurisdiction under 28 U.S.C. § 1254(1).

RELEVENT STATUTORY PROVISION

The relevant statutory provision is 18 U.S.C. § 1589, which is reproduced at Pet. App. 86-87a.

INTRODUCTION

"Whether a statutory term is unambiguous is determined not only by reference to the language itself, but also by the specific context in which that language is used, and the broader context of the statute as a whole." *See Yates v. United States*, 574 U.S. 528, 528–29 (2015) (citing *Robinson v. Shell Oil Co.*, 519 U.S. 337, 341 (1997) (cleaned up). "Part of a fair reading of statutory text is recognizing that 'Congress legislates against the backdrop' of certain unexpressed presumptions." *Bond v. United States*, 572 U.S. 844, 857 (2014). This Petition raises an important question of how a broadly worded federal criminal statute must be interpreted if looking only to the dictionary definition of the words would cause the statute to intrude on an area historically left to the states, yet the statutory language does not evince a clear intent by Congress to do so.

Title 18 U.S.C. § 1589, the forced labor statute, is a part of the Trafficking Victims Protection Act ("TVPA"), "passed to implement the Thirteenth Amendment against slavery or involuntary servitude." *See Muchira v. Al-Rawaf*, 850 F.3d 605, 617 (4th Cir. 2017), as amended (Mar. 3, 2017). In considering the statute's application to domestic abuse by a family member to coerce domestic labor from another family member, the Fourth and Sixth Circuits have employed different methods of statutory interpretation and reached different results. The Sixth Circuit, recognizing that such an application would intrude on a field traditionally left to the states to police, looked beyond the statutory language to the context in which the statute was passed, to implement the Thirteenth Amendment. On that basis, the Sixth Circuit determined

the statute was not intended to apply to the conduct at issue, since that conduct was not proscribed by the Thirteenth Amendment. The Fourth Circuit below, on the other hand, relied solely on the broad statutory language and on that basis determined the statute applied to the conduct at issue. Unlike the Sixth Circuit, the Fourth Circuit engaged in no analysis of whether the conduct at issue was proscribed by the Thirteenth Amendment. This Court should grant the petition to resolve the conflict.

STATEMENT OF THE CASE

A. Legal Background

Title 18 U.S.C. § 1589, a part of the TVPA, 114 Stat. 1466, was passed by Congress on October 28, 2000. As both the Fourth Circuit and the Sixth Circuit have acknowledged, it was "passed to implement the Thirteenth Amendment against slavery or involuntary servitude." *See Muchira*, 850 F.3d at 617; *United States v. Toviave*, 761 F.3d 623, 629 (6th Cir. 2014).

Title 18 U.S.C. § 1589 states, in relevant part:

> Whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means—
>
> (1) by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;
>
> (2) by means of serious harm or threats of serious harm to that person or another person;

> (3) by means of the abuse or threatened abuse of law or legal process; or
>
> (4) by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint,
>
> shall be punished as provided under subsection (d).

In *Toviave*, an adult caused four children to be brought from Togo to the United States to live with him. Three of the children were relatives of his (one was his sister and the other two were distant cousins). He did not have a biological relationship with the fourth child, who was nephew to his then-girlfriend. *See Toviave*, 761 F.3d at 624. Toviave was physically abusive to the four children and demanded the children perform domestic chores. *See id.* His girlfriend left at some point, leaving him with the four children. *See id.* The Sixth Circuit found beating the children "deplorable," but that domestic child abuse is a field traditionally left to the states. *See id.* While household work is "labor or services" and it was obtained by the defendant through force and threats of force, the Sixth Circuit held that the TVPA did not intend to transform domestic child abuse into a federal crime merely because labor was involved. *See id.* ("The mere fact that Toviave made the children complete chores does not convert Toviave's conduct—what essentially amounts to child abuse—into a federal crime.").

The Sixth Circuit's analysis followed well-trod ground, by recognizing statutory context: "[p]art of a fair

reading of statutory text is recognizing that 'Congress legislates against the backdrop' of certain unexpressed presumptions." *See id.* at 628 (citing *Bond*, 572 U.S. at 857); *see also Foster v. United States*, 303 U.S. 118, 120 (1938) ("Courts should construe laws in harmony with the legislative intent and seek to carry out the legislative purpose."). In determining the appropriate reach of the statute in context, the Sixth Circuit looked to this Court's precedent relating to the scope of the Thirteenth Amendment, which the TVPA was enacted to enforce. "[T]he Supreme Court has long recognized that the Thirteenth Amendment 'was not intended to apply to exceptional cases well established in the common law at the time of the Thirteenth Amendment, such as the right of parents and guardians to the custody of their minor children or wards.'" *Toviave*, 761 F.3d at 626 (citing *United States v. Kozminski*, 487 U.S. 931, 944 (1988) quoting *Robertson v. Baldwin*, 165 U.S. 275, 282 (1897)). The Sixth Circuit relied on the cannon that absent clear congressional intent, laws should not be read to federalize traditional areas of state law and that "[t]he forced labor statute could not have been intended to overturn this longstanding parental right." *Toviave*, 761 F.3d at 626; *see also Fletcher v. Williams*, No. 22-CV-1371, 2023 WL 6307494, at *2-3 (10th Cir. Sept. 28, 2023) ("Plaintiffs cannot use a federal statute enacted to implement the federal Thirteenth Amendment to criminalize behavior the Amendment plainly permits. . . ."); *Gonzalez v. CoreCivic, Inc.*, 986 F.3d 536, 538 (5th Cir. 2021) ("we do not construe criminal statutes like larceny or battery to reflexively apply to the parent-child relationship, but rather read them in light of parents' well-established rights over their own children") (citing *Kozminski*, 487 U.S. at 944).

The Fourth Circuit in the present case, however, took a vastly different approach. It looked to the common dictionary meanings of "whoever," "person," and "labor or services" and held that absent an explicit statutory exception, those broad terms should be given those dictionary meanings. Pet. App. 12a. The Fourth Circuit acknowledged that "interpreting the plain language of the statute [requires the Court to] look to the specific context in which the language is used, and the broader context of the statute as a whole." But because it found the terms used in the statute unambiguous, it declined to consider the reach of the Thirteenth Amendment. For the same reason, it also gave no consideration to the fact that relying solely on the dictionary definition of the terms used in the statute would result in overriding the usual constitutional balance between federal and state law, despite the statute's lack of language evidencing a clear congressional intent to do so. Pet. App. 12a-13a (citing *Barrientos v. CoreCivic, Inc.*, 951 F.3d 1269, 1276-77 (11th Cir. 2020) (finding TVPA applied to labor performed by alien detainee at federal immigration detention facility: because the statutory language of the TVPA is plain and unambiguous and no limiting principle is evident from the text, "we need go no further")).

B. Factual and Procedural Background

Mohammad Nauman Chaudhri and Mohammad Rehan Chaudhri are the adult sons of Zahida Aman. Pet. App. 2a. The three of them were the defendants below and are the Petitioners here. In 2001, Salman Chaudhri, another of Ms. Aman's sons, entered an arranged

marriage to M.B. in Pakistan. Pet. App. 3a.[1] Shortly after the marriage, M.B. moved to Midlothian, Virgina to live with her husband and in-laws. Pet. App. 3a-4a. After her arrival in the family home, Ms. Aman assigned M.B. household chores such as making meals and house cleaning. Pet. App. 4a-5a. Petitioners verbally threatened and physically assaulted M.B. starting in about 2003. Pet. App. 6a-8a. By 2005, Mr. Salman Chaudhri, who did his medical residency and then accepted positions as a physician out of state, was no longer living full time in the family home, but returned periodically. Pet. App. 5a. The chores assigned by Ms. Aman and the other Petitioners to M.B. expanded over time, both in the number of hours worked each day and in the intensity of the physical nature of the work. These chores included painting, significant repair work, and yard work. Pet. App. 5a-6a. This period of household work lasted until a couple of years after the birth of her and Salman Chaudhri's fourth child in 2008, although the abuse continued. Pet. App. 6a. In 2016, M.B.'s brother came to see her. Pet. App. 9a. He testified that he thought his sister looked to be in poor health and he witnessed Nauman Chaudhri slap her; he called the police and removed M.B. and her children from the home. Pet. App. 9a.

Petitioners were charged in federal court. Pet. App. 9a. They were each convicted of one count of conspiracy under 18 U.S.C. § 371 to engage in forced labor, in violation of 18 U.S.C. § 1589. Pet. App. 9a. Petitioners Mohammad Rehan Chaudhri and Zahida Aman were both convicted

1. The Fourth Circuit used only initials to identify Mr. Salman Chaudhri's wife, and we adopt the same practice for this petition.

of one substantive count of violating 18 U.S.C. § 1589. Zahida Aman was also convicted of one substantive count of document servitude in violation of 18 U.S.C. § 1592. Pet. App. 9a. Each moved under Rule 29 of the Federal Rules of Criminal Procedure for a judgment of acquittal, arguing, among other things, that the court should, following the reasoning in *Toviave*, hold that 18 U.S.C. § 1589 does not reach the conduct proven at trial. Pet. App. 39a-40a, 54a-62a. The district court denied these motions. Pet. App. 62a.

On appeal, Petitioners argued the district court erred in holding that 18 U.S.C § 1589 reaches the domestic labor of a family member obtained by domestic abuse by another family member, citing the Sixth Circuit's holding in *Toviave*, 761 F.3d at 623. Petitioners argued that like the court in *Toviave*, the court should analyze the broad language of the statute in context, noting that the TVPA was not intended to proscribe conduct that was not prohibited by the Thirteenth Amendment. The Fourth Circuit rejected this argument based on the plain language of 18 U.S.C § 1589, declining to assess whether the conduct proven at trial is proscribed by the Thirteenth Amendment.

REASONS FOR GRANTING THE PETITION

I. Inconsistent methods of statutory interpretation amongst the circuits led, and will continue to lead, to inconsistent application of the law.

The courts of appeals in *Toviave* and below employed different methods of statutory interpretation and unsurprisingly reached holdings that conflict. It is a

general rule of statutory construction that if the words of a statute are clear and unambiguous, the court need not inquire any further. *See*, *e.g.*, *Carr v. United States*, 560 U.S. 438, 458 (2010) ("We have stated time and again that courts must presume that a legislature says in a statute what it means and means in a statute what it says there. When the statutory language is plain, the sole function of the courts—at least where the disposition required by the text is not absurd—is to enforce it according to its terms"). The Fourth Circuit understood this to mean that it should look to the dictionary definitions of the words "whoever," "person," and "labor or services" and end its inquiry. Pet. App. 11a-12a. While it acknowledged that ambiguity is determined in context, the Fourth Circuit looked only to see if the text of the statute contained an explicit limitation to its broad language. Pet. App. 12a.

The Sixth Circuit in *Toviave*, on the other hand, followed a process under which dictionary definitions are the start, but not the end, of the determination of whether a federal criminal statute using broad terms unambiguously proscribes all conduct that could fall within the scope of those terms. *See*, *e.g.*, *Yates*, 574 U.S. at 528–29 ("Although dictionary definitions of the words 'tangible' and 'object' bear consideration in determining the meaning of 'tangible object' in § 1519, they are not dispositive. Whether a statutory term is unambiguous 'is determined [not only] by reference to the language itself, [but also by] the specific context in which that language is used, and the broader context of the statute as a whole.'"); *Sackett v. Environmental Protection Agency*, 598 U.S. 651, 676 (2023) ("construing statutory language is not merely an exercise in ascertaining the outer limits of a

word's definitional possibilities") (quoting *FCC v. AT&T Inc.*, 562 U.S. 397, 407 (2011)) (cleaned up).

In *Bond* this Court instructed that "[p]art of a fair reading of statutory text is recognizing that 'Congress legislates against the backdrop' of certain unexpressed presumptions." *Id.* at 857; *see also United States v. Am. Trucking Ass'ns*, 310 U.S. 534, 543 (1940) ("[E]ven when the plain meaning did not produce absurd results but merely an unreasonable one 'plainly at variance with the policy of the legislation as a whole this Court has followed that purpose, rather than the literal words.'"); *Hewitt v. United States*, 605 U.S.__, __, 145 S. Ct. 2165, 2178 (2025) (rejecting an interpretation of statutory language of the First Step Act that would run "headlong into the animating aims of the First Step Act"); *Wooden v. United States*, 595 U.S. 360, 370 (2022) (assessing whether a statute applies to a given set of facts requires not only interpreting the statutory language, but "may also involve keeping an eye on [the statute's] history and purpose").

As *Bond* recognized, "it is incumbent upon the federal courts to be certain of Congress' intent before finding that federal law overrides the usual constitutional balance of federal and state powers." *See Bond*, 572 U.S. at 858 (cleaned up); *Fischer v. United States*, 603 U.S. 480, 501 (2024) (Jackson J., concurring) ("Discerning the rule's [or statute's] purpose is critical when a court is called upon to interpret" it.). The consideration of this admonition formed the basis of the Sixth Circuit's holding in *Toviave*.

Congress has traditionally been reluctant to define as a federal crime, conduct readily denounced as criminal by the states. *See United States v. Bass*, 404 U.S. 336, 349

(1971). In recognition of that fact, this Court has avoided reading criminal statutes as making "traditionally local criminal conduct . . . a matter for federal enforcement." *See Jones v. United States*, 529 U.S. 848, 858 (2000). This Court has "cautioned, as well, that unless Congress conveys its purpose clearly, it will not be deemed to have significantly changed the federal-state balance in the prosecution of crimes." *See Jones*, 529 U.S. at 858 (quoting *Bass*, 404 U.S. at 349) (internal quotation marks omitted); *see also Sackett*, 598 U.S. at 679 ("[T]his Court 'require[s] Congress to enact exceedingly clear language if it wishes to significantly alter the balance between federal and state power and the power of the Government over private property.") (quoting *United States Forest Service v. Cowpasture River Preservation Assn.*, 590 U.S. 604, 621-22 (2020)). "Family relations are a traditional area of state concern." *Moore v. Sims*, 442 U.S. 415, 435 (1979) (federal courts should defer to state court in case involving child abuse).

The TVPA established criminal liability for conduct that is prohibited by the Thirteenth Amendment. "The primary purpose of the [Thirteenth] Amendment was to abolish the institution of African slavery as it had existed in the United States at the time of the Civil War, but the Amendment was not limited to that purpose; the phrase 'involuntary servitude' was intended to extend 'to cover those forms of compulsory labor akin to African slavery which in practical operation would tend to produce like undesirable results.'" *Kozminski*, 487 U.S. at 942. "[T]he Thirteenth Amendment was not intended to apply to 'exceptional cases well established in the common law at the time of the Thirteenth Amendment, such as 'the right of parents and guardians to the custody of their

minor children or wards, or laws preventing sailors who contracted to work on vessels from deserting their ships." *Id.* at 944 (cleaned up). Even though ordinary meaning of "involuntary servitude" would encompass the military draft, jury service or roadwork, and those examples were not explicitly carved out of the Amendment's text, this Court found the Thirteenth Amendment was not intended to reach that type of compulsory labor. *See id.*

The Thirteenth Amendment likewise did not prohibit family domestic abuse, and it was the specific intent of the drafters that it would not. *See* Joyce E. McConnell, Beyond Metaphor: Battered Women, Involuntary Servitude and the Thirteenth Amendment, 4 Yale J.L. & Feminism 207 (1992) at 1 n.2 (citing 38th Cong., 2d Sess. 215 (1865) (statement of Rep. White expressing concerns that the law would alter the traditional relationship of husband and wife).

The Sixth Circuit's holding considered the purpose of the forced labor statute to prohibit that proscribed by the Thirteenth Amendment and *Kozminski's* discussion of the reach of the Thirteenth Amendment. The Sixth Circuit also considered the importance of not reading a federal criminal statute to upset the balance of federal-state spheres of law enforcement in the absence of clear statutory language mandating such a result.

The Fourth Circuit's exclusive reliance on the dictionary definition of the words did neither. Because the Fourth Circuit found that the common use meanings of "whoever," "person," and "labor or services" applied absent an explicit statutory exception, it found that the conduct proven at trial fell within the ambit of the statutory

language. It declined to look at the context in which the TVPA was passed and determine whether the conduct at issue was proscribed by the Thirteenth Amendment or to consider the presumption against Congress intruding on fields historically left to the states. Pet. App. 12a-13a. The approaches undertaken by the Fourth and Sixth Circuits are plainly in conflict.[2]

The Petition should be granted so this Court can resolve that conflict.

II. The question presented is important and frequently recurring, and this case is a good vehicle for resolving the issue.

Establishing a uniform approach throughout the circuits to the interpretation of broadly worded federal criminal statutes that by their terms alone appear to encompass conduct historically left to the states, but that do not express an intention to override the pre-existing federal-state balance, achieves several purposes: applying laws consistently, ensuring that laws are made by Congress, and maintaining the appropriate balance between federal and state criminal law enforcement. The issue of how to interpret broadly worded federal criminal

2. The only ground on which the Fourth Circuit distinguished *Toviave* was the age of the victims, noting that "women are not children." Pet. App. 14a. Had it reached the issue of whether the conduct proven was conduct proscribed by the Thirteenth Amendment, this distinction would have been irrelevant. As noted above, the Thirteenth Amendment did not proscribe any family domestic abuse, regardless of whether it was perpetrated against an adult or against a child.

statutes is frequently re-occurring and of significant importance.

This case is the right vehicle for resolving these issues. The case arises on direct appeal. The opinion below is unambiguous with respect to the issue raised in this Petition. The opinion below creates a clear circuit split in the appropriate method of interpretation of a broadly worded federal criminal statute. There are no jurisdictional problems, no preservation issues, and no factual disputes as to the questions presented. The record is not voluminous.

CONCLUSION

For the foregoing reasons, the Court should grant the petition for a writ of *certiorari*.

Respectfully submitted,

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August 4, 2025

APPENDIX

TABLE OF APPENDICES

APPENDIX A — OPINION OF THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT, FILED APRIL 8, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-4054

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

MOHAMMAD NAUMAN CHAUDHRI,
a/k/a NAUMAN CHAUDHRI,

Defendant-Appellant.

No. 23-4077

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

MOHAMMAD REHAN CHAUDHRI,
a/k/a REHAN CHAUDHRI,

Defendant-Appellant.

Appendix A

No. 23-4078

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ZAHIDA AMAN,

Defendant-Appellant.

Appeals from the United States District Court for the Eastern District of Virginia, at Richmond. John A. Gibney, Jr., Senior District Judge. (3:19-cr-00085-JAG-2; 3:19-cr-00085-JAG-3; 3:19-cr-00085-JAG-1)

Argued: November 1, 2024 Decided: April 8, 2025

Before GREGORY, THACKER, and BERNER, Circuit Judges.

Affirmed by published opinion. Judge Thacker wrote the opinion, in which Judge Gregory and Judge Berner joined. Judge Berner wrote a concurring opinion, in which Judge Thacker joined.

THACKER, Circuit Judge:

Zahida Aman and her adult sons, Nauman Chaudhri and Rehan Chaudhri (collectively, "Appellants"), each appeal their convictions for their roles in a forced labor

conspiracy. Appellants argue their convictions should be vacated because (1) the statute does not apply to the type of familial relationship present here; (2) the Government improperly struck jurors on the basis of race; (3) the district court admitted unduly prejudicial evidence of abuse after the conspiracy ended; and (4) the district court improperly instructed the jury. We conclude that the federal statute is clearly applicable, the Government did not improperly strike jurors, and that the district court did not otherwise reversibly err.

Therefore, we affirm Appellants' convictions.

I.

M.B., the victim of Appellants' forced labor conspiracy, is originally from Pakistan. In 2001, Aman and M.B.'s mother arranged M.B.'s marriage to Aman's son, Salman Chaudhri. M.B. did not meet Salman until after the marriage was finalized in Pakistan in January 2002. After the wedding, Salman told M.B. that "if his family, especially his mom, [Aman] is happy with [M.B.], he's going to put [her] on a pedestal and our relationship will be good." J.A. 530.[1] In this vein, he told M.B. that she "ha[s] to make his family, especially his mom . . . happy." *Id.*

About seven weeks after the marriage was finalized, M.B. received a visa and flew to Virginia to live with Salman and his family in their family home in Midlothian,

1. Citations to the "J.A." refer to the Joint Appendix filed by the parties in this appeal.

Virginia. The first morning after M.B. arrived in Virginia, Aman took her into the living room and said to her, "[Y]ou are the daughter-in-law of a retired general colonel and the wife of a doctor here in the United States, so you need to put your standards up. And if you want to be happy in your married life, the way to your husband's heart is through me. . . . And if you want [to make] him happy, you have to make me happy." J.A. 534.

Soon after M.B.'s arrival in the United States, Appellants took away her notebook containing contact information for her family and friends in Pakistan. They also made her turn over her identification and immigration documents for safekeeping in the family safe. But M.B. did not have access to the safe. And even though M.B. received a green card,[2] Appellants took it from her, saying it was because her name was spelled incorrectly. They originally told her they would have the green card corrected, but she never saw it again. M.B. testified that Appellants, as well as other members of the Chaudhri family, told her repeatedly that she was in the country illegally, and they would have her deported if she did not comply with their demands.

Along with taking M.B.'s documents, Aman began assigning M.B. a series of household chores she was required to complete. M.B. testified that "[i]n the

2. A "green card" is a permanent residence card that allows noncitizens "to live and work permanently in the United States." U.S. Citizenship and Immigration Services, *Green Card*, (Dec. 4, 2024), https://www.uscis.gov/green-card [https://perma.cc/65BZ-EJDW].

beginning it was not much." J.A. 535. She was required to do things like clean the living room, kitchen, bathroom, and laundry room before anyone else woke up. She was also responsible for making meals at Aman's request. Eventually, however, the chores became full time labor. M.B. was expected to work all day long – from morning before others in the house awoke until bedtime. And as time went on, each of the three Appellants, and other uncharged family members, began assigning M.B. more strenuous labor.

Notably, Salman did not live in the family home after the first few years of the marriage. In fact, Salman did not even live in the same state. He was away completing his medical residency beginning in 2005. He then moved to Pennsylvania in 2006, and to California in 2008. Although he would return to Aman's home for brief periods, he remained in California for the duration of the marriage. Thus, after 2005, M.B. was living in the family home with Appellants, but not with her husband.

M.B. testified that the work she was required to do escalated. She was required to paint the entire home several times, including all inside rooms and the exterior as far as she could reach. Additionally, she was made to rip up and remove carpets from within the house; strip and re-stain the deck at least twice a year; and tear up and rebuild the cement pathway in the front of the home at least twice. M.B. also testified that Aman and Nauman once purchased a used car that was full of animal hair from the previous owner. They made her clean the car and remove all of the animal hairs using "[a] tweezer with

a magnifying glass." J.A. 571. She was also required to mow the lawn using a push mower, even though the family had a riding lawn mower. Similarly, M.B. was required to do her and her children's laundry by hand in a sink. She was not allowed to use the washer and dryer that the rest of the family used.

Appellants' requirement that M.B. labor in their home continued from 2002, when she arrived in Virginia, until at least a couple years after the birth of M.B.'s fourth child in 2008. M.B. was required to work through all of her pregnancies, including even "mow[ing] the lawn [in her] last week" of pregnancy. J.A. 604.

M.B. testified extensively at trial about the abuse she suffered in Appellants' home. She explained that Appellants began with verbally abusing her in 2002 by telling her that she was a "whore, good for nothing, bastard, [and] bitch" when they were displeased with her. J.A. 546. In addition, Appellants forced M.B. to sleep on the floor of her children's rooms and restricted her access to food.

Physical abuse soon followed beginning in 2003. The first instance occurred after M.B. had stayed up late with her first child who was sick, which caused her to be late getting downstairs to start her morning work. Aman was angry with M.B. for being late, so Aman cussed at M.B. then slapped her and left a mark on her face. More physical abuse followed from various family members. M.B. testified that Rehan would slap her when he was mad at her. M.B. also testified to one occasion where another

member of the family held a knife to her throat either because she did not complete a work task or because her children were yelling. And she discussed another instance where she was forced to mow the lawn then wait in the laundry room without food or water until her sweat dried, before she was permitted to enter the house to shower. After showering, M.B. tried to get herself some food but Aman and Rehan told her she was not allowed to eat until she finished more work. While they were yelling at her, Rehan put his phone down and M.B. tried to grab it to call Salman. Rehan chased her, knocked her down, and then kicked her in the stomach.

Weeks later, Rehan and his sister, Bushra, attacked M.B. because Bushra believed M.B. needed to apologize and seek forgiveness from Rehan for trying to use his phone. The two tied M.B. up, wrapping the rope around her neck and then pulling it tight, until she apologized. They then dragged her out of the room so that her kids could see her and told the children, "this is what happens if you don't listen to us or obey us." J.A. 609–10.

M.B. explained at trial that Appellants also threatened to have her deported on multiple occasions when they were displeased with her. They also physically and psychologically abused the children by forcing them to slap M.B. when they talked to her, and by telling them that M.B. was mentally ill and they should fear her. M.B. explained that she continued to do the work she was assigned and endure the abuse because she was terrified Appellants were going to separate her from her kids if she did not.

Appendix A

Some years after the birth of her fourth child in 2008, Appellants forced M.B. to move into the laundry room. M.B. testified that she did not have a bed in the laundry room. Rather, she would sleep on a mat on the floor. After they moved M.B. into the laundry room, Appellants slowly stopped assigning her work around the house. Aman would ask M.B. to do things like "clean up the kitchen or dining room. Small things." J.A. 658. While she was living in the laundry room, M.B. was only allowed to "watch" her children but was not allowed to "interact" with them. J.A. 665. Eventually Appellants stopped requiring M.B. to perform any work.

But the physical abuse continued. M.B. testified to one specific instance where Rehan hit her with a board six times on the back and legs because she came back in the house through the front door to get her prayer beads and slippers after he had locked her in the garage so he could watch television in the living room.

And two years after she was moved into the laundry room, M.B. was exiled from the main house altogether and forced to live in the "annex," which was two rooms in the garage. J.A. 667–68. M.B. was not able to access the main house, and Appellants would supply her with one to two weeks' worth of "microwavable food" at a time. J.A. 668. At some point, Appellants took M.B.'s children to California to see Salman. M.B. was left in the annex for weeks, ran out of food, and was concerned that she would never see her children again.

In March 2016, M.B.'s brother visited Virginia from Pakistan and went to Appellants' house looking for M.B. M.B. had not talked to her family in more than eight years by that point. When M.B. first talked to her brother he did not recognize her, partly due to significant weight loss and hair loss over the 14+ years she had been in the United States. M.B.'s brother tried to get her to leave with him, but she refused because she did not want to leave her children. M.B's brother bought her a cell phone, and she was able to reconnect with him and the rest of her family in Pakistan.

M.B.'s brother returned to Virginia in May 2016 to help M.B. leave Appellants' home. When he arrived, he witnessed Nauman slap M.B. in the face, and he called the police for assistance. Nauman was arrested for domestic assault, and M.B. was able to leave and obtain medical treatment. The children were initially placed in foster care, but M.B. obtained full custody of them in 2017.

Following an investigation, Appellants were charged with conspiracy to commit forced labor, in violation of 18 U.S.C. § 371; forced labor, in violation of 18 U.S.C. § 1589; and document servitude, in violation of 18 U.S.C. § 1592.

The jury convicted all Appellants of the conspiracy charge, Aman and Rehan of forced labor, and Aman of document servitude. The district court denied Appellants' motions for judgment of acquittal, and this timely appeal followed.

II.

A.

Appellants first argue on appeal that the district court erred in denying their motions for judgment of acquittal because they assert that the federal forced labor statute, 18 U.S.C. § 1589, does not apply to familial relationships like the one here.

1.

We review the district court's denial of a motion for judgment of acquittal de novo. *United States v. Robinson*, 55 F. 4th 390, 401 (4th Cir. 2022). "We will uphold the jury's verdict if, viewing the evidence in the light most favorable to the government, the verdict is supported by substantial evidence." *Id.* (citation and internal quotation marks omitted). "Substantial evidence is that which a reasonable finder of fact could accept as adequate and sufficient to support a conclusion of a defendant's guilt beyond a reasonable doubt." *United States v. Burfoot*, 899 F.3d 326, 334 (4th Cir. 2018) (cleaned up). We do not "consider the credibility of witnesses and must assume the jury resolved all contradictions in testimony in the government's favor." *Id.* (citation omitted).

2.

Appellants argue that the district court was incorrect to hold that the forced labor statute reaches "the domestic labor of a family member obtained by another member of

the family." Appellants' Opening Br. at 20. In their view, the evidence was "of family domestic violence and abuse, a matter of traditional state law concern," and does not fall within the ambit of § 1589. *Id.*

To determine the reach of a statute, we begin "with the plain language of the statute because when the statute's language is plain, the sole function of the courts—at least where the disposition required by the text is not absurd—is to enforce it according to its terms." *Lynch v. Jackson*, 853 F.3d 116, 121 (4th Cir. 2017) (cleaned up). "Only when statutory text is ambiguous do we consider other indicia of congressional intent such as the legislative history." *Snyder's-Lance, Inc. v. Frito-Lay N. Am., Inc.*, 991 F.3d 512, 516 (4th Cir. 2021) (citation and internal quotation marks omitted). In interpreting the plain language of the statute, we look to "the specific context in which the language is used, and the broader context of the statute as a whole." *Hurlburt v. Black*, 925 F.3d 154, 158 (4th Cir. 2019).

The applicable version of the forced labor statute, provides the following:

> Whoever knowingly provides or obtains the labor or services of a person by . . .
>
> (1) threats of serious harm to, or physical restraint against, that person or another person;

> (2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or
>
> (3) by means of the abuse or threatened abuse of law or the legal process, shall be fined under the title or imprisoned not more than 20 years, or both.

18 U.S.C. § 1589 (2000). The challenge here relates to the first clause: "Whoever . . . obtains the labor or services of a person." In Appellants' view, they are not "whoever" and M.B. is not "a person" within the meaning of the statute because there is a marital familial relationship between them, such that their conduct should be excused as far as federal law is concerned.

But the statutory language is broad. It makes no exceptions for family relationships as Appellants suggest. *Barrientos v. CoreCivic, Inc.*, 951 F.3d 1269, 1276 (11th Cir. 2020) (explaining that the terms "[w]hoever" and "person" are broad and "evince[] no intent on the part of Congress to restrict the application of the statute to particular actors or particular victims"). And there can be no dispute that the work M.B. was required to perform in this household was "labor or services." "Labor" is defined as the "expenditure of physical or mental effort especially when fatiguing, difficult, or compulsory," and "service" is defined as "the performance of work commanded or paid for by another." *United States v. Marcus*, 628 F.3d 36, 44

n.10 (2d Cir. 2010) (quoting *Labor*, Merriam Webster's Third New International Dictionary Unabridged (2002)).

Attempting to avoid the obvious conclusion that the plain language of the statute applies here, Appellants urge us to consider that the forced labor statute is part of the Trafficking Victims Protection Act ("TVPA"), and its legislative purpose was to "implement the Thirteenth Amendment against slavery or involuntary servitude." *Muchira v. Al-Rawaf*, 850 F.3d 605, 617 (4th Cir. 2017). In Appellants' view, a statute meant to combat human trafficking and involuntary servitude does not "suggest[] Congress intended to reach" the circumstances present in this case. Appellants further argue that the only crime here was domestic abuse, which is a matter of state law.

In support of their arguments, Appellants point to a Sixth Circuit case, *United States v. Toviave*, 761 F.3d 623 (6th Cir. 2014). *Toviave* involved a defendant who had brought four young relatives from Togo to live with him in Michigan. Toviave had strict rules and made the children perform chores such as cooking, cleaning, and doing laundry, and he occasionally made them babysit the children of his girlfriend and relatives. Toviave was also abusive to the children and would beat them "if they misbehaved or failed to follow one of [his] many rules." *Toviave*, 761 F.3d at 624. Toviave was convicted of forced labor, but the Sixth Circuit vacated the conviction in a narrow opinion that focused specifically on the facts of that case.

The Sixth Circuit explained that "[a]n American parent has always had the right to make his child perform

household chores. That right is codified in Michigan." *Toviave*, 761 F.3d at 625. And that right applies equally to one "standing *in loco parentis*." *Id.* Thus, while the court recognized that "the duties assigned by Toviave are 'labor' in the economic sense of the word" because "one could, and people often do, pay employees to perform these types of domestic tasks," it held that they were not *forced* labor under the statute because a parent has a separate right to require those type of household chores. *Id.* at 625–26. And the court held that the child abuse could not be punished federally absent any cognizable forced labor because that would be "federalization of state law." *Id.* at 627.

Importantly, however, the Sixth Circuit made clear that "[t]he forced labor statute contains no exception for parents or other close relatives," and one "is not immunized by that status." *Toviave*, 761 F.3d at 626. But on the facts of that case, the court held narrowly that there was no cognizable *forced* labor because Toviave had a legal parental right in Michigan to require the children to perform chores. The addition of child abuse, which was not specifically tied only to enforcement of the chores, did not take away that right or transform child abuse into a federal crime.

Appellants attempt to bootstrap *Toviave* and extend its holding such that any case involving family members and forced domestic work is not a federal crime. But that is not only incorrect, it is absurd. To state what should be obvious – women are not children. Appellants had no parental role over M.B., nor did they have any legal right to force her to do work against her will. And because she

was forced to perform labor through the prohibited means of force, coercion, physical restraint, and serious harm or threats of serious harm, Appellants are guilty of violating the statute.

3.

In a final attempt to challenge the applicability of § 1589, Appellants argue for the first time on appeal that the statute is unconstitutionally vague as applied because it "fails to provide notice that a family member would violate it by forcing another family member to perform domestic chores." Appellants' Opening Br. at 23.

Because Appellants failed to make this argument below, we review it only for plain error. *See* Fed. R. Crim. P. 52(b) ("A plain error that affects substantial rights may be considered even though it was not brought to the court's attention."). To survive plain error review, Appellants must demonstrate (1) an error (2) that is plain, "that is to say, clear or obvious." *Molina-Martinez v. United States*, 578 U.S. 189, 194, 136 S. Ct. 1338, 194 L. Ed. 2d 444 (2016) (citation omitted). And (3) the error must have affected Appellants' substantial rights, "which in the ordinary case means [they] must show a reasonable probability that, but for the error, the outcome of the proceeding would have been different." *Id.* (citation and quotation marks omitted). Even then, we should only exercise our discretion to recognize and correct the error if it seriously affects the fairness, integrity, or public reputation of judicial proceedings. *Id.*

"A statute is unconstitutionally vague . . . if it 'fails to provide a person of ordinary intelligence fair notice of what is prohibited, or is so standardless that it authorizes or encourages seriously discriminatory enforcement.'" *Martin v. Lloyd*, 700 F.3d 132, 135 (4th Cir. 2012) (quoting *United States v. Williams*, 553 U.S. 285, 304, 128 S. Ct. 1830, 170 L. Ed. 2d 650 (2008)). "One to whose conduct a statute clearly applies may not successfully challenge it for vagueness." *Parker v. Levy*, 417 U.S. 733, 756, 94 S. Ct. 2547, 41 L. Ed. 2d 439 (1974).

Other than pointing out that the statute does not define labor or services, Appellants do not explain how the statute fails to put a person of ordinary intelligence on notice of the proscribed conduct. But, because the statute does not define "labor" or "services," the district court defined them, as we do, by their ordinary, dictionary definitions. Appellants' argument that the statute "fails to provide notice that a family member would violate it by forcing another family member to perform domestic chores" defies common sense. Appellants' Opening Br. at 23. The notice provided is straightforward – the statute applies to "whoever" violates its terms and there are no exceptions for family members. Period. And, as we have explained, Appellants' conduct is clearly proscribed by the statute. Thus, they may not successfully challenge it for vagueness.

Having concluded that § 1589 applies to the relationship and conduct at issue here, we next consider Appellants' arguments that various errors at trial require vacatur of the convictions.

B.

The first trial error Appellants allege is that the Government improperly used its peremptory strikes during jury selection on the basis of race, in violation of *Batson v. Kentucky*, 476 U.S. 79, 106 S. Ct. 1712, 90 L. Ed. 2d 69 (1986).

At the beginning of jury selection, the venire included 13 black jurors. Of those, six were struck for cause. When the court turned to peremptory strikes, jury selection proceeded in three stages. First, eight jurors were selected from an initial panel. Next, four jurors were selected from a second panel. This completed the twelve member jury. Finally, four alternate jurors were selected from a third panel.

The Government exercised a total of six peremptory challenges for non-alternates – three on black prospective jurors and three on white prospective jurors. Of the first panel, the Government struck two black prospective jurors who were under 30, unmarried, and childless, Jurors 9 and 26. The Government did not strike the third black juror in the first panel, a 42 year old black female who was married with three children. But that juror was struck by Appellants, so she did not serve on the jury.

The second round of peremptory strikes for the non-alternate jury included a panel of four prospective jurors, two of whom were black. The Government struck one of those, Juror 42, who was also under 30, unmarried, and

childless.[3] It did not strike Juror 49, a 31 year old black female who was unmarried but had two children. When the Government struck Juror 42, Appellants objected and argued that the Government had improperly exercised its peremptory strikes on the basis of race. The Government explained that it had used its strikes to strike every prospective juror who was very young, unmarried, and childless, because it believed those characteristics would make it difficult for those potential jurors to understand why M.B. would stay at Appellants' home. After hearing this explanation, the court denied Appellants' challenge and continued on with jury selection. But, just a few moments later, the Government accepted Juror 38 as a member of the jury. Juror 38 was a white male who was 34 years old, unmarried, and childless. The court asked how the Government distinguished that juror, who was also young, unmarried, and childless, from Juror 42. The Government responded, "Because, Your Honor, at this point in time we have one strike left, and there are jurors left on the panel and we want to reserve that." J.A. 299. The Court responded, "All right. Okay. Playing with fire." *Id.*

The final round of peremptory strikes was for alternate jurors, and each side had two strikes remaining. The record does not reflect which party struck which juror, but the record demonstrates that the parties collectively struck four white males of varying ages and family status.

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3. Although Appellants initially claimed in their opening brief that Juror 42 was 31 years old, the record demonstrates that Juror 42 was born in 1993 and thus must have been under the age of 30 at the time of jury selection.

One of those males was the only other potential juror who was under 30, unmarried, and childless.

At the conclusion of jury selection, one black juror, Juror 49, a 31 year old female with two children, was seated as a member of the jury. The two remaining black jurors were seated as alternates. Sometime during the trial, Juror 49 was excused from the jury with the consent of both parties due to childcare issues and economic hardship attributed to her service on the jury. Appellants reminded the court of their earlier *Batson* challenge and asked that one of the black alternate jurors be permitted to deliberate in place of Juror 49, rather than the white alternate who was first on the list. The district court denied the motion, stating that it "may not have done [jury selection] the way [the Government] did it myself, but that doesn't mean it is improper." J.A. 1654. No black jurors deliberated.

1.

Pursuant to *Batson*, prosecutors "may not discriminate on the basis of race when exercising peremptory challenges." *Flowers v. Mississippi*, 588 U.S. 284, 287, 139 S. Ct. 2228, 204 L. Ed. 2d 638 (2019) (citing *Batson*, 479 U.S. at 79). A *Batson* challenge requires a three-step inquiry. First, the defendant makes "a prima facie showing that a peremptory challenge was based on racial considerations." *United States v. Dennis*, 19 F.4th 656, 662 (4th Cir. 2021). Second, the burden shifts "to the prosecution to offer a racially neutral reason for the strike; [and] finally, the trial court determines whether a

defendant has shown purposeful discrimination." *Id.* "If a prosecutor's proffered reason for striking a black panelist applies just as well to an otherwise-similar nonblack [panelist] who is permitted to serve, that is evidence tending to prove purposeful discrimination." *Miller-El v. Dretke*, 545 U.S. 231, 241, 125 S. Ct. 2317, 162 L. Ed. 2d 196 (2005).

"On appeal, we sustain the trial court's ruling unless clearly erroneous." *Dennis*, 19 F.4th at 662 (citing *Snyder v. Louisiana*, 552 U.S. 472, 477, 128 S. Ct. 1203, 170 L. Ed. 2d 175 (2008)). This is because a "trial court has a pivotal role in evaluating *Batson* claims. Step three of the *Batson* inquiry involves an evaluation of the prosecutor's credibility, and the best evidence of discriminatory intent often will be the demeanor of the attorney who exercises the challenge." *Snyder*, 552 U.S. at 477 (cleaned up). A finding is "clearly erroneous" when "the reviewing court . . . is left with the definite and firm conviction that a mistake has been committed." *Anderson v. City of Bessemer City*, 470 U.S. 564, 573, 105 S. Ct. 1504, 84 L. Ed. 2d 518 (1984) (citation omitted). But "[w]here there are two permissible views of the evidence, the factfinder's choice between them cannot be clearly erroneous." *Id.* at 574.

2.

On appeal, Appellants argue that the district court erred in denying their *Batson* challenge. Appellants specifically take issue with the Government's decision to strike Juror 42, a black male who was under 30, unmarried,

and childless, and its decision not to strike Juror 38, a white male who was 34 years old, unmarried, and childless. Appellants argue these decisions are inconsistent with the Government's proffered race neutral reasoning at trial; namely, that it was striking jurors who were "very young," unmarried, and childless. J.A. 297. The Government argues now that it was more specifically striking jurors who were under the age of 30, unmarried, and childless. But Appellants argue that is an impermissible post hoc rationalization.

To be sure, the Government did not inform the district court that it was defining "very young" as jurors under 30 years of age. Nevertheless, the district court evaluated the Government's explanation and the credibility of the prosecutors. And while the court noted that it may have disagreed with the trial strategy, the district court found no *Batson* error. In fact, the district court explicitly rejected Appellants' *Batson* challenge at least two separate times during the trial. We may not undo that finding unless we are "left with the definite and firm conviction that a mistake has been committed." *Anderson*, 470 U.S. at 573. Upon review of the record, we are not left with any such conviction.

While we take Appellants' point that the Government was not so precise in its explanation at trial, the record bears out the truthfulness of its assertion that it struck potential jurors who were "very young," unmarried, and childless, and that its definition of "very young" was jurors under 30. At the conclusion of jury selection, there was not

a single member of the panel who met all three criteria the Government identified. Thus, we do not conclude that the district court's ruling was clearly erroneous.

C.

Appellants next argue that the district court erred by admitting evidence of Appellants' abuse of M.B. that occurred after M.B. had admittedly stopped performing labor and after the indictment alleged the conspiracy ended in 2014.

Appellants moved in limine to exclude the evidence, arguing that it was irrelevant and unduly prejudicial. The Government argued that the evidence was admissible as intrinsic to the crime charged because it was necessary to complete the story. And it argued alternatively that, if the evidence was extrinsic, it was admissible pursuant to Federal Rule of Evidence 404(b) to show Appellants' knowledge of their crime, demonstrate consciousness of guilt, and explain why M.B. stayed in the home even after the forced labor ended. The Government also averred that the probative value was not significantly outweighed by the risk of unfair prejudice.

The district court found the evidence admissible as intrinsic evidence and denied Appellants' motion in limine to exclude it.

1.

We review evidentiary rulings for abuse of discretion.[4] *United States v. Freitekh*, 114 F.4th 292, 315 (4th Cir. 2024). "In so doing, we will identify an abuse of discretion if the court's decision was guided by erroneous legal principles or rests upon a clearly erroneous factual finding." *United States v. Bush*, 944 F.3d 189, 195 (4th Cir. 2019) (cleaned up). But, even a finding of error "does not end our inquiry." *United States v. Brizuela*, 962 F.3d 784, 798 (4th Cir. 2020). Pursuant to Federal Rule of Criminal Procedure 52(a), even if the district court erred in admitting evidence, "we will not vacate the conviction if the error was harmless." *Brizuela*, 962 F.3d at 798. "An error is harmless if we can say with fair assurance, after pondering all that happened without stripping the erroneous action from the whole, that the judgment was not substantially swayed by the error." *Id.* (citation and internal quotation marks omitted).

4. The Government argues that we should review this issue only for plain error because Appellants failed to object to the evidence when it was admitted during the trial. We disagree. "As a general rule, motions in limine may serve to preserve issues that they raise without any need for renewed objections at trial, just so long as the movant has clearly identified the ruling sought and the trial court has ruled upon it." *United States v. Williams*, 81 F.3d 1321, 1325 (4th Cir. 1996). Appellants moved in limine to exclude this evidence, and the district court explained that it was "denying the [relevant portion of] the motion in limine." J.A. 152. When Appellants sought clarification about the specific testimony at issue here, the district court made clear that "[n]one of it is excluded at this point." *Id.* at 153. Thus, the motion in limine was sufficient to preserve this issue for appeal.

When reviewing a district court's ruling on a motion pursuant to Federal Rule of Evidence 403, "[w]e apply a 'highly deferential' standard of review . . . and a trial court's "decision to admit evidence over a Rule 403 objection will not be overturned except under the most extraordinary circumstances, where that discretion has been plainly abused." *United States v. Hassan*, 742 F.3d 104, 132 (4th Cir. 2014) (cleaned up).

2.

"Federal Rule of Evidence 404(b)(1) prohibits evidence of a crime, wrong, or other act from being used to prove a person's character in order to show that on a particular occasion the person acted in accordance with the character." *United States v. Webb*, 965 F.3d 262, 266 (4th Cir. 2020) (citation omitted). But Rule 404(b) is inapplicable to "evidence that is intrinsic to the alleged crime." *Id.* (citation omitted) Uncharged conduct is intrinsic when it "arose out of the same series of transactions as the charged offense, or is necessary to complete the story of the crime on trial." *Brizuela*, 962 F.3d at 793–94 (cleaned up) (quoting *United States v. Kennedy*, 32 F.3d 876, 886 (4th Cir. 1994)). Put differently, evidence is intrinsic when it "is inextricably intertwined with the evidence regarding the charged offense [because] it forms an integral and natural part of the witness's accounts of the circumstances surrounding the offenses for which the defendant was indicted, or serves to complete the story of the crime on trial." *United States v. Hoover*, 95 F.4th 763, 770 (4th Cir. 2024) (alteration in original) (citation and internal quotation marks omitted).

For evidence of uncharged conduct to be admissible to complete the story of a charged offense, "the evidence must be probative of an integral component of the crime on trial or provide information without which the factfinder would have an incomplete or inaccurate view of other evidence or of the story of the crime itself." *Brizuela*, 962 F.3d at 795. It must also be "necessary" to complete the story, meaning there must be a "clear link or nexus between the evidence and the story of the charged offense," and "the purpose for which the evidence is offered is actually essential. Otherwise, the 'complete the story' doctrine might be used to disguise the type of propensity evidence that Rule 404(b) is meant to exclude." *Id.*

On appeal, Appellants challenge all of the evidence of their continued abuse of M.B. after she stopped performing household labor. This includes evidence about Appellants forcing M.B. to live in the laundry room and then the garage annex, depriving her of food and money, cutting off her relationship with her children, and evidence regarding Appellants' continued physical and psychological abuse.

We have little trouble concluding that what happened between the end of M.B.'s forced labor and her finally being freed from Appellants' grasp "is inextricably intertwined with the evidence regarding the charged offense [because] it forms an integral and natural part of the witness's accounts of the circumstances surrounding the offenses for which the defendant was indicted." *Hoover*, 95 F.4th at 770. The evidence Appellants challenge comes from M.B.'s own testimony about the crimes Appellants perpetrated against her. It is a natural part of her account

to tell the jury what happened from the beginning to the end. Without this evidence, the jury could not have had a complete picture, and the jurors would have been left to wonder how they were hearing a case in 2020 over crimes that occurred from 2002 to roughly 2010. The challenged evidence completes the picture that what happened here was not simply a daughter-in-law helping out with household chores as Appellants would have the jury believe, but, rather, involuntary servitude.

Because the district court's decision was not "guided by erroneous legal principles" and did not "rest[] upon a clearly erroneous factual finding," we conclude that it did not abuse its discretion in admitting the evidence. *Bush*, 944 F.3d at 195 (citation omitted).

3.

Even still, Appellants argue the evidence of their continued abuse should have been excluded as unduly prejudicial pursuant to Federal Rule of Evidence 403. Rule 403 is a rule of inclusion that allows courts to "exclude relevant evidence if its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence." Fed. R. Evid. 403.

Of course, "all evidence suggesting guilt is prejudicial to a defendant." *United States v. Siegel*, 536 F.3d 306, 319 (4th Cir. 2008) (citation omitted). "That kind of general prejudice, however, is not enough to warrant exclusion

of otherwise relevant, admissible evidence." *Id.* Rather, to warrant exclusion, the prejudice must be *unfair*, and "even then . . . the unfair prejudice [must] *substantially* outweigh[] the probative value of the evidence." *Id.* (emphasis in original). "Evidence is unfairly prejudicial and thus should be excluded under Rule 403 when there is a genuine risk that the emotions of a jury will be excited to irrational behavior, and this risk is disproportionate to the probative value of the offered evidence." *United States v. Williams*, 445 F.3d 724, 730 (4th Cir. 2006) (cleaned up). Where the evidence is substantially similar, or at least no more sensational, than the crimes charged, there is no unfair prejudice. *See Siegel*, 536 F.3d at 319–20; *see also United States v. Boyd*, 53 F.3d 631, 637 (4th Cir. 1995).

Here, too, we readily conclude that the evidence was not unfairly prejudicial. The evidence of Appellants' continued abuse of M.B. was no more sensational than the evidence related to their years-long conspiracy to obtain her forced labor. And, in any event, we can say "with fair assurance, after pondering all that happened without stripping the erroneous action from the whole, that the judgment was not substantially swayed by" the admission of this evidence. *Brizuela*, 962 F.3d at 798 (citation omitted). As discussed above, the Government presented sufficient evidence to demonstrate that Appellants forced M.B. to labor in their home using threats of violence or a scheme or plan intended to make her believe she or her children would be hurt, or that she would be deported, if she did not comply. And, notably, Appellants do not challenge the sufficiency of the evidence in this appeal beyond arguing that the statute simply does not apply. Therefore, any error on the district court's part was harmless.

D.

Finally, Appellants argue that they are entitled to a new trial because the district court improperly rejected their proposed jury instruction as to the applicable mens rea.

1.

"We review the district court's decision to give or refuse to give a jury instruction for abuse of discretion." *United States v. Lighty*, 616 F.3d 321, 366 (4th Cir. 2010) (citation omitted). Where a district court declines to provide a proposed jury instruction, we will find reversable error "only when the instruction (1) was correct; (2) was not substantially covered by the court's charge to the jury; and (3) dealt with some point in the trial so important, that failure to give the requested instruction seriously impaired the defendant's ability to conduct his defense." *Id.* (citation omitted). "[W]e do not view a single instruction in isolation; rather we consider whether taken as a whole and in the context of the entire charge, the instructions accurately and fairly state the controlling law." *Id.* (citation omitted).

"[A]n error in instructing the jury harmless if it is 'clear beyond a reasonable doubt that a rational jury would have found the defendant guilty absent the error.'" *United States v. Ramos-Cruz*, 667 F.3d 487, 496 (4th Cir. 2012) (quoting *Neder v. United States*, 527 U.S. 1, 18, 119 S. Ct. 1827, 144 L. Ed. 2d 35 (1999)).

2.

The applicable version of 18 U.S.C. § 1589 prohibits "knowingly provid[ing] or obtain[ing] the labor or services of a person" by (1) "threats of serious harm to, or physical restraint against, that person or another person"; (2) "means of any scheme, plan or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint"; or (3) "means of the abuse or threatened abuse of law or the legal process."

During the charge conference, the parties each proposed jury instructions related to the meaning of "threats." The Government proposed that the district court explain that "a threat can be verbal or non verbal" to clarify that the first prohibited means of obtaining labor was not limited to verbal threats. J.A. 1555. Appellants disagreed and proposed an instruction that "a 'threat' is a serious statement expressing an intention to inflict harm" and "the defendant(s) must have made the statement intending it to be a threat, or with the knowledge that the statement would be viewed as a threat." J.A. 186.

The district court declined to give Appellants' proposed instruction. Instead, it concluded that a threat can be verbal or nonverbal, and so instructed the jury. The court also did not include Appellants' requested instruction that they must have intended any statements to be threats. But the court did instruct the jury that it must find beyond a reasonable doubt that the defendants

(1) provided or obtained M.B.'s labor or services; (2) did so by any one or combination of statutorily prohibited means; and (3) acted knowingly. The court further instructed the jury regarding the meaning of the terms "threat" and "knowingly." As to "threat," the court explained,

> A "threat" can be verbal or non-verbal. A verbal threat is a serious statement expressing an intention to inflict harm, at once or in the future, as distinguished from idle or careless talk, exaggeration, or something said in a joking manner. For a statement to be a threat, the statement must have been made under such circumstances that a reasonable person who heard or read the statement would understand it as a serious expression of an intent to cause harm.

J.A. 1690. And as to "knowingly":

> The term "knowingly," as used in these instructions to describe the alleged state of mind of the defendant, means that he or she was conscious and aware of his or her action, realized what he or she was doing or what was happening around him or her, and did not act because of ignorance, mistake, or accident.
>
> The intent of a person or the knowledge that a person possesses at any given time may not ordinarily be proven directly because there is no way of directly scrutinizing the workings of

> the human mind. In determining what a person knew or what a person intended at a particular time, you may consider any statements made or acts done by that person and all other facts and circumstances received in evidence that may aid in your determination of that person's knowledge or intent.
>
> You may infer, but you are certainly not required to infer, that a person intends the natural and probable consequences of acts knowingly done or knowingly omitted. It is entirely up to you, however, to decide what facts to find from the evidence received during the trial.

J.A. 1694.

3.

According to Appellants, the district court erred when it declined to give their requested jury instruction that, in order to convict, the jury had to find that Appellants subjectively intended to threaten M.B. In support of their argument, Appellants rely on *Counterman v. Colorado*, 600 U.S. 66, 143 S. Ct. 2106, 216 L. Ed. 2d 775 (2023).

In that case, the Supreme Court considered whether the First Amendment requires proof, in a "true threat" criminal case, of a defendant's subjective intent to threaten the victim. Importantly, per *Counterman*, a "true threat" of violence is an "unprotected category of communications" because true threats are "serious

expressions conveying that a speaker means to commit an act of unlawful violence." *Counterman*, 600 U.S. at 74 (cleaned up). In other words, those charged in true threat cases are prosecuted solely for their words. To address the concern about a chilling effect on speech, the Court determined that the First Amendment requires some subjective mental state in true threat cases, but that "a mental state of recklessness is sufficient." *Id.* at 69. That is, the Government need only prove that the defendant "is aware that others could regard his statements as threatening violence and delivers them anyway." *Id.* at 79 (cleaned up).

In Appellants' view, the district court's instructions were insufficient to inform the jury that Appellants must have at least acted with reckless disregard for the fact that their statements could be taken as threats. The Government argues that *Counterman* is inapplicable because this is not a true threat case, that the district court's instruction was correct even applying *Counterman*, and that any error was harmless.

We disagree with the Government that *Counterman* is inapplicable here. One theory of criminal liability the Government pursued against Appellants was that they forced M.B. to perform labor in their home by threatening her with violence if she failed to comply. As in *Counterman*, this case presents the question of whether Appellants' statements could be considered criminal without running afoul of the free speech protections of the First Amendment. *See In re Rendelman*, 129 F.4th 248, 252–54 (4th Cir. 2025). *Counterman* instructs that the answer

to this question lies in whether Appellants possessed the requisite mens rea, or state of mind, when they made the threats. 600 U.S. at 72. The Government was required to establish that Appellants were aware M.B. could have regarded their statements as threatening violence. *See id.* at 78–80. Appellants' proposed jury instruction on threats would have required the jury make such a finding. *See* J.A. 186 (requiring the jury to find that "the defendant(s) must have made the statement intending it to be a threat, or with the knowledge that the statement would be viewed as a threat"). This proffered jury instruction correctly reflects the mandate of *Counterman*, but the district court declined to give the instruction.

Further, Appellants' proposed instruction on "threats" was not "substantially covered" by instructions provided to the jury. *See United States v. Spirito*, 36 F.4th 191, 209 (4th Cir. 2022). Although the district court's instruction on forced labor required the jury to find that the defendants acted "knowingly," J.A. 186, the district court's instructions made no mention of Appellants' state of mind at the time they threatened M.B. Therefore, the district court erred.

Nonetheless, the district court's error was harmless because the Government offered sufficient evidence for the jury to convict based on the second prohibited means: "any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint." 18 U.S.C. § 1589 (2000). That portion of the statute independently

requires that Appellants intended to cause M.B. to believe she would be harmed, and it criminalizes only conduct. Taking the evidence in the light most favorable to the Government, we conclude that the Government presented sufficient evidence that Appellants created a climate of fear and violence through repeated physical abuse and threats of deportation when they were dissatisfied with M.B.'s work or with her attitude, and that was a scheme, plan, or pattern intended to make M.B. believe she would be deported and/or separated from her children if she did not continue making Appellants happy by completing the assigned labor.

III.

Because we conclude that 18 U.S.C. § 1589 applies here, and that the district court did not otherwise err at trial, Appellants' convictions are

AFFIRMED.

BERNER, Circuit Judge, with whom Judge THACKER joins, concurring:

Today we affirm that the domestic labor to which Appellants subjected M.B. for years is properly considered "forced labor" within the scope of the federal forced labor statute. Our holding that the proper scope of the forced labor statute includes domestic labor aligns fully with the purpose of the Thirteenth Amendment, the promise of which the forced labor statute was enacted to implement.

The Thirteenth Amendment provides that "[n]either slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." U.S. Const. amend. XIII, § 1. One of the primary purposes of the Amendment was to "abolish the institution of African slavery as it had existed in the United States at the time of the Civil War." *United States v. Kozminski*, 487 U.S. 931, 942, 108 S. Ct. 2751, 101 L. Ed. 2d 788 (1988). The Thirteenth Amendment's invocation of "the term 'involuntary servitude' was intended to cover those forms of compulsory labor akin to African slavery." *Butler v. Perry*, 240 U.S. 328, 332, 36 S. Ct. 258, 60 L. Ed. 672 (1916).

The Thirteenth Amendment further authorizes Congress to "pass all laws necessary and proper for abolishing all badges and incidents of slavery in the United States." *Jones v. Alfred H. Mayer Co.*, 392 U.S.

409, 439, 88 S. Ct. 2186, 20 L. Ed. 2d 1189 (1968) (emphasis and citation omitted). Congress enacted the Trafficking Victim Protection Act of 2000 (TVPA), which includes the federal forced labor statute, pursuant to this authority. *See Muchira v. Al-Rawaf*, 850 F.3d 605, 617 (4th Cir. 2017) (describing congressional authority to "implement the Thirteenth Amendment against slavery or involuntary servitude" in passing the forced labor statute (quoting *United States v. Toviave*, 761 F.3d 623, 629 (6th Cir. 2014)). The TVPA aimed to "combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims." TVPA, Pub. L. No. 106-386, § 102(a) (codified at 22 U.S.C. § 7101(a)). It "address[es] the increasingly subtle methods of traffickers who place their victims into modern-day *slavery*." H.R. Rep. No. 106-939, at 101 (2000) (Conf. Rep.) (emphasis added). In passing the TVPA, Congress specifically sought to empower prosecutors "to bring more cases in which individuals have been trafficked into *domestic service*." *Id.* (emphasis added).

The Thirteenth Amendment promised to end the subjugation of enslaved Black people. Enslavers forced enslaved Black people to engage in physical labor against their will and to toil in brutal conditions in fields. In addition to labor outdoors, enslavers compelled Black people, predominantly women, to endure "hard, steady, often strenuous labor as [they] juggled the demands made by [enslavers] and other members of the [enslavers']

family." *See* Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family from Slavery to the Present* 22–23, 27 (1985). Black women were required to be constantly on call, to carry wood and water, cook meals, clean, iron, and sew clothes, while caring for enslavers' children, livestock, gardens, and yards. *Id.* at 23, 27; Jane E. Dabel, *Domestic Workers*, Oxford African American Studies Ctr. 1 (May 19, 2005); John W. Blassingame, *The Slave Community: Plantation Life in the Antebellum South* 251 (rev. ed. 1979). Forced domestic labor "rivaled cotton picking as back-breaking labor." Jones at 27. Enslavers tortured Black women with harsh punishments, including physical attacks, while they labored indoors. *Id.* at 25–26; Blassingame at 251. Enslavers forced Black women to work during pregnancy up until giving birth and soon thereafter, with some even giving birth in the fields between rows of cotton. Jones at 19.

Appellants maintain that the labor M.B. was forced to perform falls outside of the scope of the forced labor statute because it was domestic in nature. Such an interpretation would undermine the very purpose of the law. The history of forced labor as it pertains to enslaved Black women makes clear that the reach of the TVPA extends to forced work beyond that which takes place outdoors or outside of family homes. Just as the Thirteenth Amendment was intended to prohibit *all* "forms of compulsory labor akin to African slavery," *Butler*, 240 U.S. at 332; *see also Jones*, 392 U.S. at 421–23, there can be no doubt that the forced

labor statute criminalizes labor compelled by private actors inside of private homes. The prohibition against forced labor is neither limited to non-familial relationships nor restricted in venue to the public sphere.

Forced labor is no less forced once it passes the threshold of the home. The Thirteenth Amendment was enacted to abolish the institution of slavery and to prohibit compulsory labor akin to slavery. The forced labor statute was enacted to make real this promise.

APPENDIX B — OPINION OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA, RICHMOND DIVISION, FILED AUGUST 16, 2022

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA,
RICHMOND DIVISION

Criminal Action No. 3:19-cr-85

UNITED STATES OF AMERICA

v.

ZAHIDA AMAN, et al.,

Defendants.

Filed August 16, 2022

OPINION

On May 13, 2022, after a two-week trial, a jury convicted Zahida Aman of conspiracy, forced labor, and document servitude; Mohammad Nauman Chaudhri of conspiracy; and Mohammed Rehan Chaudhri of conspiracy and forced labor. These convictions arise from a three-count superseding indictment, which charged the defendants—Aman and two of her sons, Nauman Chaudhri and Rehan Chaudhri—with conspiring to obtain and maintain the unpaid labor and services of M.B. between March 2002 and August 2014, forced labor, and document servitude.

All three defendants now move for a judgment of acquittal pursuant to Federal Rule of Criminal Procedure 29. (ECF Nos. 245, 246, 248.) The defendants argue that (1) the forced labor statute—the Trafficking Victims Protection Act—does not apply to a domestic relations case such as this one and therefore any convictions for forced labor or conspiring to force labor cannot stand; and (2) sufficient evidence does not support their convictions. ban and Nauman Chaudhri also move for a new trial pursuant to Federal Rule of Criminal Procedure 33, arguing that M.B.'s trial testimony was incredible and repeatedly impeached. (ECF Nos. 245, 248.)

The government asks the Court to deny the defendants' motions because it properly prosecuted the defendants under the forced labor statute; sufficient evidence supports the convictions returned by the jury; and M.B. offered credible testimony. The Court agrees that the forced labor statute reaches the defendants' conduct; that sufficient evidence supports the defendants' convictions; and that M.B. testified credibly such that allowing the defendants' convictions to stand does not result in manifest injustice. The Court will, therefore, deny the defendants' motions.

I. PROCEDURAL BACKGROUND

On August 7, 2019, a grand jury returned a three-count superseding indictment, charging the defendants with conspiracy (Count One), forced labor (Count Two), and document servitude (Count Three). (ECF No. 38.)

The government accused the defendants of conspiring to obtain and maintain the unpaid labor and services of

M.B. between March 2002 and August 2014. During this time, M.B. was married to M.S. C., another son of Aman. The government contended that in order to force M.B. to do work for them at their home, the defendants physically abused M.B. and her children and used threats related to M.B.'s immigration papers.

After numerous delays due to the COVID-19 pandemic and attorney conflict of interest, the defendants' trial commenced in May 2022 and lasted two weeks. A jury found Aman guilty of Counts One through Three; Nauman Chaudhri guilty of Co lint One and not guilty on Counts Two and Three; and Rehan Chaudhri guilty of Counts One and Two and not guilty on Count Three. (ECF No. 225.)

II. EVIDENCE PRESENTED AT TRIAL[1]

In 2001, M.B.'s mother and Aman arranged for M.B. to marry M.S.C., one of Aman's sons. (Tr. 402, 405.) By 2001, M.B. had reached an age where she, as a Pakistani woman, felt pressure to marry. (Tr. 405.) M.B. also felt pressure to make the marriage work because this arrangement was the first major decision M.B.'s mother had made since becoming a widow. (Tr. 402–03,410–11.)

In January 2002 in Pakistan, M.B. married M.S.C. under Islamic law. (Tr. 412.) Contrary to common practice in Pakistan, M.B. met M.S.C. for the first time on their

1. The Court construes this evidence in the light most favorable to the government pursuant to the standard by which a court reviews a Rule 29 motion for a judgment of acquittal. *See infra* Section III.A.1.

wedding day. (Tr. 408–09.) During their first night together as husband and wife, M.S.C. told M.B. that "if his family, especially his mom, Zahida Aman, is happy with [her], He's going to put [her] on a pedestal and [their] relationship w[ould] be good." (Tr. 425.)

The day after the wedding, Aman and other members of the Chaudhri family took M.B. to the embassy in Pakistan for a marriage visa. (Tr. 416–17.) After receiving the visa, M.B. boarded a plane for the first time ever and flew to Washington, D.C., with M.S.C. (Tr. 426–27.) Rehan Chaudhri and Nauman Chaudhri met M.B. and M.S.C. at the airport in Washington and drove them to the family home in Midlothian, Virginia, where M.B. and M.S.C. would live. (Tr. 427–28.) The defendants (and Aman's elderly husband, S.C.) also lived at the same home.

The day after arriving, Aman sat M.B. down and told her, "[Y]ou are the daughter-in-law of a retired general colonel and the wife of a doctor here in the United States, so you need to put your standards up. And if you want to be happy in your married life, the way to your husband's heart is through me. . . . And if you want him happy, you have to make me happy."[2] (Tr. 429.) Shortly thereafter, Aman began to regularly instruct M.B. to perform work in the house. (Tr. 429–30.)

During the early years of M.B.'s time at the Chaudhri house, her work included "clean[ing] the living room,

2. Aman's husband served as a general colonel in Pakistan. M.S.C. is a physician.

the kitchen, the laundry room and the downstairs half bathroom before [any other members of the family came] downstairs" each morning, cleaning the deck if Aman wanted to take her tea or breakfast outside, sometimes preparing breakfast for the Chaudhri family, prepping for lunch and dinner, and cleaning dirty dishes. (Tr. 429–30.) M.B. "basically clean[ed] all day . . . until [she went] to bed." (Tr. 430.) M.B. was initially willing to perform this work to make the Chaudhri family happy and, hopefully, win the affection of Aman and in turn, her husband. (Tr. 431.)

M.B. lived at the Chaudhri house from 2002 to 2016 During this time, she had four children, born in 2003, 2004, 2006, and 2008, respectively. (Tr. 468–69.) Her husband visited there periodically but spent the majority of his time living elsewhere and working as a doctor—first in Washington, D.C., then in Philadelphia, and then in California. (Tr. 448–51.)

When M.B. traveled to the United States, she had with her jewelry and paperwork, including immigration documents, education documents, and a passport. Immediately upon M.B.'s arrival, Aman took her jewelry. (Tr. 431–32.) As for the paperwork, M.B. testified that shortly after M.B. came to the Chaudhri house, Aman asked, for her documents, including her immigration documents and passport. (Tr. 433.) M.B. refused Aman's request. (*Id.*) Then Aman, S.C., and M.S.C. gathered in Aman and S.C.'s bedroom and asked M.B. to enter. (Tr. 433–34.) M.S.C. told M.B., "My father keeps all the passports, and everything, in the safe. You cannot keep

them. You have to give it to them." (Tr. 434.) Again, M.B. tried to refuse, but M.S.C. "enforced that [she] should" agree, so according to M.B., "she had no choice except to go and bring [the documents]." (*Id.*) Aman did not take from M.B. the $200 or $300 that M.B.'s mother gave her to take to the United States. (Tr. 426.) Aman did not know about this money because after Aman denied M.B. permission to bring the money to the United States, M.B. hid the money in her bra during the trip. (*Id.*)

After M.B. handed over the documents, the defendants placed M.B. under the impression that she remained in the United States illegally. (Tr. 436.) Shortly after arriving to the United States, M.B.'s green card came in the mail, but it spelled her name incorrectly. (Tr. 435–36.) Because M.B. never saw a corrected green card, as far as she knew, she remained illegally in the United States. (Tr. 436.) M.B., therefore, believed the defendants when they told her she lacked legal immigration status in the United States. Indeed, throughout the twelve years that M.B. lived at the Chaudhri house in Midlothian, the defendants repeatedly told M.B., "We can deport you. Your paperwork is incomplete." (Tr. 438.) M.B. also testified that every time she would retaliate or refuse to abide by any instructions from the defendants—about twice a month—the defendants would tell her to "calm [her]self down because [she could] be deported." (Tr. 438.) Each of the defendants made clear to M.B. that upon her deportation, they would keep her children. (Tr. 439–40.)

M.B. caught a glimpse of her identification just one time while there—during a trip with the Chaudhri family

to California. (Tr. 496.) M.B. testified that Aman held her identification during the trip, Aman handed M.B.'s identification to airport security personnel, and Aman intervened when airport security personnel attempted to hand M.B.'s identification to M.B. (Tr. 495.)

The defendants used more than the confiscation of M.B.'s immigration papers to isolate M.B. Shortly after M.B. arrived in the United States, Aman took M.B.'s diary, which contained the contact information for M.B.'s friends and family. (Tr. 459–61.) Starting during M.B.'s first days in the United States, Aman would stand by M.B. when M.B. used the family's phone. Around 2006, Aman forbade M.B. from using the phone entirely. (Tr. 459–61, 774.) Without a cell phone, private access to the family phone, or a computer, M.B. did not have any means of private communication with her family in Pakistan. During her years at the Midlothian house, M.B. lost touch with her family to such an extent that until her brother reunited with M.B. in 2015, M.B.'s family did not know if she was alive or dead. (Tr. 200–01.)

The only money M.B. had during her time with the defendants was the money that M.B.'s mother encouraged her to take to the United States in 2003, (Tr. 426, 574), and money that M.B.'s brother gave to her in 2015, (Tr. 223). M.B. did not have a driver's license. Indeed, at an event at a local mosque, Rehan Chaudhri followed M.B. and forced her to tell one of her children's teacher's, who had just encouraged M.B. to get her driver's license so she could make friends, that she had no interest in learning to drive. (Tr. 464–65.) The defendants also forbade M.B.

from talking to her neighbors. (Tr. 461.) M.B. did manage to leave the house on her own multiple times—for exercise and for a long walk to stores, (Tr. 522, 1203)—but without a car, money, phone, or, to her knowledge, legal status, M.B. chose to remain there with her children.

Eventually, the defendants even restricted M.B.'s access to food. (Tr. 508, 556–57.) The defendants kept locked away the food that remained downstairs, (Tr. 554), and moved much of the food to Aman's room upstairs, which Aman kept locked, (Tr. 5, 56). Aman gave M.B. food to eat but did not allow her access to the family's food. M.B. would eat her meals after the rest of the family had finished eating. (Tr. 556–57.)

M.B.'s living conditions also worsened through the years. When M.B. first moved into the house, she shared a bedroom with M.S.C. (Tr. 553.) After she began having children, she moved into the children's room; after the birth of her fourth child in 2008, she began sleeping on the floor of the children's room. (*Id.*) Several years after the birth of her fourth child, the defendants moved M.B. into the laundry room; M.B. slept on a mat on the laundry room floor. (Tr. 553–54; 558.) The defendants later converted their garage into a finished annex, which included two rooms, a kitchenette, and a bathroom. (Tr. 568; Def. Ex. 58-A.) After a couple years of living in the laundry room, the defendants moved M.B. into this annex, which had a door that opened onto the back deck and a door connected to the main house. (Tr. 568–69.) The defendants kept the door connecting the annex and the main house locked and gave M.B. one or two weeks of microwavable food at a time. (Tr. 569.)

The defendants also caused M.B.'s children to fear their mother by telling them that M.B. was "a crazy woman" who would "sell them out for money." (Tr. 519–20.) The defendants told the children not to go near M.B. or she would hurt them. (Tr. 519–20.) Nauman Chaudhri and Aman yelled at M.B.'s youngest child and punished him for talking to M.B. (Tr. 516–18.) M.B.'s second child, K.S.C., testified that when the defendants told her these things about her mother, she believed them; "I didn't know my mother. I didn't know if she was actually crazy. All I know is what the people I lived with were telling me, and I believed them." (Tr. 957.) K.S.C. explained that although she never saw her mother do anything violent, K.S.C. "ended up becoming very scared of her [mother], didn't want to talk to her, didn't want to be near her because" based on what the defendants told K.S.C., "it seemed like [her mother] was someone capable of hurting [her]." (*Id.*)

The housework the defendants instructed her to perform intensified from cooking, cleaning, and laundry. Although Aman primarily instructed M.B.'s work, everyone in the home, including Nauman Chaudhri and Rehan Chaurdhi, instructed M.B. to perform housework and other tasks like "painting the house" both inside and outside as far as she could reach from the ground, "rip[ping] apart carpets," washing rugs, "clean[ing] cars," mowing the grass, moving furniture, trimming trees, cleaning and staining the deck, and laying a concrete walkway. (Tr. 496–505.) Although the Chaudhri household had laundry machines, Aman forbade M.B. from using the machines and required her to clean the laundry by hand in the sink. (Tr. 498–99.) After moving M.B. into the laundry

room several years after 2008, the defendants gradually stopped asking M.B. to perform work.

When M.B. first arrived, she performed the housework willingly to curry favor with her new in-laws. But in 2002, the defendants began to verbally abuse M.B., calling her "whore, good for nothing, bastard, bitch" if M.B. completed "a chore, or anything in the house . . . not . . . according to their liking." (Tr. 441–42.) In 2003, the defendants began to physically abuse M.B. The first violent episode occurred after a sleepless night taking care of her oldest daughter when she was an infant. (Tr. 453–54.) M.B. came downstairs to start her morning chores later than Aman had directed. (Tr. 453.) Aman was angry with M.B. and "cussed [her] out." (*Id.*) M.B. apologized for her tardiness and explained that she would "finish everything that [Aman had] asked [her to do]." (*Id.*) This made Aman more upset, and Aman slapped M.B., leaving a mark on M.B.'s face with her nail. (*Id.*) From this incident, M.B. learned that she "had no say in [her work]. [She] had to do it." (Tr. 458.)

M.B. testified that each of the defendants slapped her "[i]f [she hadn't] listened to them, if their mom is angry, . . . if [she] didn't do a chore right. Like, anything that could just make them upset with [her] when [she] would tell them [she would] finish, it or something. Anything." (Tr. 456.) The defendants also involved the children in their abuse of M.B., instructing the children to slap M.B. (Tr. 513–14; 1086–88.) This physical abuse lasted for the duration of M.B.'s years at the Chaudhri house. (*See, e.g.*, Tr. 458.) Although the defendants regularly abused M.B., particular incidents stand out.

Appendix B

A. Washington, D.C. Incident

M.B. testified that during a trip within a couple years after 2004, the year M.B.'s second child was born, the family took a daytrip to Washington, D.C. (Tr. 482–83.) During this visit, the defendants left M.B. on the side of the road for misplacing her child's shoe; after M.B. ran after the car, which also held her children, the defendants stopped the car and asked M.B. to get in. (Tr. 483–84.)

B. The Knife Incident

During another incident, Aman's daughter, B.A., and Aman started verbally abusing M.B. "for not doing a chore" or because "the kids were making noise." (Tr. 506.) B.A., holding a knife, told M.B. that she would cut her throat if she did not shut up. (Tr. 506.) B.A. then held a knife to M.B.'s throat in front of Aman and M.B.'s oldest child. (Tr. 506–07.) M.B.'s oldest child, born in 2003, testified that her "head was just a little bit over the doorknob" when she witnessed B.A. hold a knife to M.B.'s throat while Aman accused M.B. of lying. (Tr. 1083–84.)

C. The Stairs Incident

One day after mowing the lawn—work M.B. stopped performing several years after 2008—M.B. came into the house and asked for a glass of water. (Tr. 507–08.) Aman denied M.B.'s request. M.B. then opened the refrigerator to find something to eat. Aman told M.B. "to close the fridge door and start doing the other chores, there were dishes to be washed and the kitchen to be cleaned." (Tr.

508.) Aman and M.B. started yelling at each other. M.B. then grabbed Rehan Chaudhri's phone and ran upstairs, hoping to call M.S.C. (Tr. 509.) Rehan Chaudhri ran after M.B., took his phone back, and kicked M.B. in the stomach. (Tr. 509.)

Two weeks after this incident, Rehan Chaudhri and B.A. approached M.B. to "deal[]" with what M.B. had done. (Tr. 51 0.) B.A. and Rehan Chaudhri, joined by Aman, tied M.B. up with a rope and dragged and pushed her down the stairs. (Tr. 511, 966, 1085.)

D. The Car Incident

After a fight at the house, M.B ran a couple blocks away. (Tr. 544.) Nauman Chaudhri and Aman drove after her. (*Id.*) After spotting M.B. in a bush, Nauman Chaudhri and Aman tied her up in a scarf, "shoved" and "dragged" M.B. into the car despite her protesting physically and verbally, and drove M.B. back to the house. (Tr. 544–45.) M.B. never tried to run away again. (Tr. 546.)

E. The 2x4 Incident

After the defendants moved M.B. into the laundry room and before they moved her into the annex, Rehan Chaudhri hit M.B. multiple times with a 2-inch by 4-inch piece of wood ("2x4"). (Tr. 559.) M.B. testified that after she defied Rehan Chaudhri's instruction to step into the garage while he watched TV downstairs, Rehan Chaudhri hit her six times with a 2x4—on the legs, back, and

shoulder[3]—then put her in the garage, locking her out of the house. While in the garage, M.B. she cried and "took a deep breath." (Tr. 562.)

From the garage, M.B. saw contractors doing yard work. She waited for them to come near the door, at which point she left the garage and asked to borrow the contractor's phone. (Tr. 562.) M.B. hoped to call M.S.C. (Tr. 563.) But Rehan Chaudhri appeared and took the phone from M.B., returned it to the contractor, and pushed M.B. back to the garage. (Tr. 563-64.)

Later that same day, M.B. went to the home of the Chaudhri's neighbors, Mr. and Ms. Roarty. She asked Ms. Roarty to borrow her phone. (Tr. 565.) With Ms. Roarty's phone, M.B. called M.S. C. and told him about the incident. (Tr. 566.)

* * *

Although M.B.'s testimony was central to the government's case, the government also offered witnesses[4]

3. In her journal and in her 2017 interview with investigators, M.B. recounted that the 2x4 struck her on the legs, back, and arm. (Tr. 703–06.) During a November 29, 2016 deposition, M.B. testified that that "the sixth time [Rehan Chaudhri] almost hit [her] head, but [she] ducked enough so it hit [her] in the head but not too much." (Tr. 706.)

4. M.B.'s children, (*see* Tr. 954–58,959, 961–63, 966–67, 984–87, 989–90, 1074–75, 1077, 1078–85, 1081–85, 1087–89), her brother, (*see* Tr. 197–99, 200–01, 207, 214–215), Forensic Investigator Melanie Griffiths, (*see* Tr. 324), Chesterfield County Detective

who and non-testimonial evidence[5] that corroborated much of M.B.'s testimony.

III. DISCUSSION

All three defendants move for a judgment of acquittal pursuant to Rule 29. (ECF Nos. 245, 246, 248.) The defendants argue that (1) the forced labor statute does not apply to a domestic relations case such as this one and therefore any convictions for forced labor or conspiring to force labor cannot stand; and (2) sufficient evidence does not support their convictions. The government asks the Court to deny the defendants' motions for a judgment of acquittal because it properly prosecuted the defendants under the forced labor statute and because sufficient evidence supports the convictions returned by the jury. Because the Court finds that the forced labor statute prohibits the defendants' conduct and sufficient evidence supports each of the defendants' convictions, the Court will deny the defendants' motions for a judgment of acquittal.

Aman and Nauman Chaudhri also move for a new trial pursuant to Rule 33, arguing that M.B.'s trial testimony was incredible and repeatedly impeached. (ECF Nos. 245, 248.) The government asks that the Court deny the motions for a new trial because M.B. offered credible

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Laura Kay, (*see* Tr. 361–62), Chesterfield County Police Office Matthew Wheeler, (*see* Tr. 295–96, 298), Dr. Christine Isaacs, (*see* Tr. 793–97, 814), and Barbara Flinn, (*see Tr.* 825–28)

5. *See, e.g.*, Gov't Exhibits 3A, 3B, 8, 30, 31.

testimony. Because the Court finds that M.B. testified credibly such that allowing the defendants' convictions to stand does not result in manifest injustice, the Court will deny Aman's and Nauman Chaudhri's motions for a new trial.

A. Tile Defendants' Motions for Judgment of Acquittal

1. Legal Standard

Federal Rule of Criminal Procedure 29(c)(2) explains' that "[i]f the jury has returned a guilty verdict, the court may set aside the verdict and enter an acquittal." "Where . . . a motion for judgment of acquittal is based on insufficiency of the evidence:, the conviction must be sustained if the evidence, when viewed in the light most favorable to the Government, is sufficient for any rational trier of fact to find the essential elements of the crime beyond a reasonable doubt." *United States v. Romer*, 148 F.3d 359, 364 (4th Cir. 1998), *overruled on other grounds as recognized in United States v. Strassini*, 59 F. App'x 550 (4th Cir. 2003). Courts "must consider circumstantial as well as direct evidence, and allow the government the benefit of all reasonable inferences from the facts proven to those sought to be established." *United* State *v. Tresvant*, 677 F.2d 1018, 1021 (4th Cir. 1982). "Importantly, the Court does not assess the credibility of witnesses and resolves direct contradictions in testimony in the government's favor." *United States v. Jama*, 217 F. Supp. 3d 882, 895 (E.D. Va. 2016).

2. Improper Application of the Forced Labor Statute. 18 U.S. C. §§ 1581–94

The defendants argue that the government improperly prosecuted this case under the forced labor statute. They contend that the forced labor statute does not apply to familial situations like this one and that domestic services provided by a family member do not amount to "labor or services" under the statute.

Congress passed the forced labor statute

> "to implement the Thirteenth Amendment against slavery or involuntary servitude." *United States v. Toviave*, 761 F.3d 623, 629 (6th Cir. 2014). "Congress intended to reach cases in which persons are held in a condition of servitude through nonviolent coercion," as well as through "physical or legal coercion." *United States v. Dann*, 652 F.3d 1160, 1169 (9th Cir. 2011) (internal quotation marks omitted); *see also United States v. Calimlim*, 538 F.3d 706, 714 (7th Cir. 2008) ("Section 1589 is not written in terms limited to overt physical coercion, and we know that when Congress amended the statute it expanded the: definition of involuntary servitude to include nonphysical forms of coercion.").

Muchira v. Al-Rawaf, 850 F.3d 605, 617 (4th Cir. 2017), *cert. denied* 138 S. Ct. 448, 199 L. Ed. 2d 329 (2017); *see also*

Pub. L. No. 106-386, § 102, 114 Stat. 1464, 1466–69 (2000).[6] "Historically, criminal prosecutions for forced labor . . . have nearly always involved employment situations and/or sexual exploitation between unrelated parties."[7] (ECF No. 245, at 11.) The defendants argue that "[t]here is no federal case where family members have been prosecuted under 18 U.S.C. § 1589 for their treatment of an in-law, or for asking an in-law to contribute to household chores." (*Id.*)

Regarding the defendants' argument that the forced labor statute does not permit the prosecution of family members in the course of a shared living arrangement, the forced labor statute contains no language that suggests Congress did not intend for the statute to apply to familial situations like this one. *See* 18 U.S.C. § 1589 (2000) (barring the use of a prohibited means to compel labor or services of

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6. The forced labor statute creates the crime of forced labor and offers trafficking victims an avenue to pursue civil remedies. *See* 18 U.S.C. §§ 1589, 1595.

7. *See, e.g., Roe v. Howard*, 917 F.3d 229 (4th Cir. 2019) (affirming the district court's judgment in favor of the plaintiff, who suffered sexual abuse as a housekeeper for the defendants); *United States v. Farrell*, 563 F.3d 364 (8th Cir. 2009) (affirming convictions under the forced labor statute for defendants who recruited individuals from the Philippines to work for them in the United States and then isolated these workers and compelled their continued work by threatening physical force and arrest); *United States v. Udeozor*, 515 F.3d 260 (4th Cir. 2008) (affirming conviction under the forced labor statute for defendant who induced a fourteen-year old to move from Nigeria to the United States based on the promise of education and money, but instead compelled her work through physical, emotional, and sexual abuse).

a "person"); *United States v. Callahan*, 801 F.3d 606, 617 (6th Cir. 2015) (noting that "Congress imposed limitations on the . . . category of victims" in a sex trafficking statute, but did not limit the forced labor statute's "application to immigrant victims or sex workers," suggesting that "the unqualified term 'a person' is purposefully broad"), *cert. denied Hunt v. United States*, 577 U.S. 1227, 136 S. Ct. 1477, 194 L. Ed. 2d 571. "Absent ambiguity in the statutory text, '[o]nly the most extraordinary showing of contrary intentions in the legislative history will justify a departure from [the statutory] language.'" *United States v. Marcus*, 628 F.3d 36,44 (2d Cir. 2010) (alterations in original) (quoting *United States v. Albertini*, 472 U.S. 675, 680, 105 S. Ct. 2897, 86 L. Ed. 2d 536 (1985)). The defendants offer no evidence that Congress did not intend the forced labor statute to apply to familial situations like this one. The Court recognizes the novelty of this case, but, in many ways, this situation is precisely what the forced labor statute seeks to reach. *See Toviave*, 761 F.3d at 629 ("Most [forced labor cases arising in the household context] involve defendants that subjected their victims to more extreme isolation. . . ."); *Calimlim*, 538 F.3d at 709 (affirming forced labor convictions of the defendant who confiscated the victim's travel documents and used threats related to her immigration status to compel her to continue); *United States v. Sabhnani*, 599 F.3d 215, 225–28 (2d Cir. 2010) (affirming forced labor conviction of the defendant who physically abused the victim, prevented her possession of her passport, and subjected her to intolerable living conditions). The Court, therefore, finds that the government properly prosecuted the defendants pursuant to the forced labor statute.

The Court also dismisses the defendants' argument that "labor or services" under the statute are limited to work provided in an employment setting. The defendants contend that household chores that family members routinely perform in the home do 'not amount to "labor or services" under the forced labor statute. Not only has Congress declined to exempt household chores from "labor or services," but courts have defined "labor or services" under the forced labor statute broadly, just as this Court did to the jury: "work or the performance of any particular task of set of tasks, [including] any form of physical or mental effort or 'exertion to perform such work or tasks." (ECF No. 223, Jury Instruction No. 28, at 31); *see, e.g., United States v. Kaufman*, 546 F.3d 1242, 1260–63 (10th Cir. 2008) (finding no plain error with a jury instruction defining labor as "the expenditure of physical or mental effort"). Indeed, the defendants in *Callahan* forced the victim "to clean the apartment, do yard work, care for their dogs, and run various errands for them." 801 F.3d at 614. The Sixth Circuit affirmed the district court's denial of the defendants' motions to acquit and for a new trial, thereby affirming the defendants' conviction under the forced labor statute based on the provision of these household chores. *Id.* at 621. This Court, therefore, finds that the "labor or services" under the forced labor statute can include household chores.

The defendants also point to three cases that they say most closely resemble this one: *Muchira v. Al-Rawaf*, 850 F.3d 605 (4th Cir. 2017) (affirming the district court's granting of summary judgment in favor of the defendants); *Headley v. Church of Scientology International*, 687 F.3d

1173 (9th Cir. 2012) (same); and *United States v. Toviave*, 761 F.3d 623 (6th Cir. 2014) (reversing the defendant's forced labor conviction due to insufficient evidence). In each of these cases, the civil suit or criminal prosecutions under the forced labor statute failed. For the reasons set forth below, this Court finds these three cases distinguishable from the case at bar.

In *Muchira*, the Fourth Circuit affirmed the district court's decision to grant summary judgment to the defendants, a family from Saudi Arabia who employed as a housemaid the plaintiff, Winfred Muchira, a woman from Kenya. 850 F.3d at 608–15. Muchira's employers subjected her to strict house rules, demanding hours, and verbal reprimands; she suffered "depression, stress, and other psychological maladies" as a result. *Id.* at 622. The Fourth Circuit rejected Muchira's claim under the forced labor statute, finding that she "ha[d] failed to present sufficient evidence that the Saudi family knowingly coerced her into providing her labor and services 'by means of the abuse or threatened abuse of law or legal process.'" *Id.* at 624 (quoting 18 U.S.C. § 1589(a)(3)). The Fourth Circuit reached this conclusion even though the defendants "kept her passport, just as they had done in Saudi Arabia, in accordance with the cultural practices of their country." *Id.* at 623. The Fourth Circuit noted that Muchira "never asked to maintain possession of her passport and she was never told that she could not." *Id.* The Fourth Circuit noted that "the forced labor provisions of the [Trafficking Victims Protection Act] are not intended to . . . punish immigrants for adhering to cultural rules and restrictions that many in this country would refuse to abide by." *Id.* at 625.

Although the situations M.B. and Muchira faced bear some resemblance, the Court finds several key distinctions between them. While Muchira received a small salary for her work and had a bank account in her own name, M.B. did not receive any payment during her time with the defendants nor did she have access to a bank account in her own name. Indeed, the only money M.B. had during her time with the defendants was money that M.B.'s mother encouraged M.B. to take with her to the United States in 2003 and money that M.B.'s brother gave to her in 2015. In addition, unlike Muchira, who had her own cell phone with Internet access by which she communicated with family and friends in Kenya, M.B. did not have any means of private communication with her family in Pakistan. And unlike Muchira, who did not face abuse and lived comfortably in her own bedroom, M.B. suffered verbal and physical abuse from the defendants, had limited access to food in the defendants' home, and eventually slept on the floor of the laundry room and lived alone in the annex. Finally, unlike Muchira, who never tried to keep her passport, M.B. tried to keep possession of her immigration documents but the defendants did not allow her to do so. Thus, although Muchira's forced labor lawsuit failed for lack of sufficient evidence, the government's prosecution of the defendants in this case does not suffer the same frailty.

The defendants also cite *Headley v. Church of Scientology International* to support their argument that the forced labor statute does not apply in a case like this one. 687 F.3d at 1178–81. In *Headley*, two former ministers of the Sea Org within the Church of Scientology sued

the Church under the forced labor statute. They claimed that the Church "psychologically coerced them to provide labor . . . . by causing them to believe that they could not leave the ministry or that they would face serious harm in doing so." *Id.* at 1178. The Ninth Circuit affirmed the district court's decision to grant summary judgment to the defendants on the forced labor claim because the plaintiffs "joined and voluntarily worked for the Sea Org"; because they had "innumerable opportunities to leave the defendants" and "had access to vehicles, phones, and the Internet"; and because the only adverse consequence the plaintiffs "could have faced, had they taken any of their many opportunities . . . to leave the Sea Org, was to have been declared 'suppressive persons'" by the Church and "that consequence is not 'serious harm'" under the forced labor statute. *Id.* at 1180.

Just as the plaintiffs in *Headley* joined the Sea Org voluntarily, M.B. chose to marry into the Chaudhri family and travel to the United States. But unlike the plaintiffs in *Headley*, M.B. lacked access to vehicles, phones, and the Internet. Although she did manage to leave the Chaudhri house multiple times, a sudden escape would have left her in the United States without any friends and family, without money, without legal status as far as she knew, and without her children. And the one instance where M.B. tried to run away, Aman and Nauman Chaudhri went after her and forcibly brought her back to the house. Further, although the plaintiffs in *Headley* suffered "isolated instances of physical force" in the Church, M.B. endured numerous incidents of physical and verbal abuse by the defendants. *Id.* at 1178. Thus, the: defendants' comparison between *Headley* and this case falls short.

Finally, the defendants cite *United States v. Toviave*, in which the Sixth Circuit reversed the defendant's conviction for forced labor. 761 F.3d at 630. In *Toviave*, the defendant brought four young relatives from Togo to live with him in the United States. He made the children complete household chores, like cooking, cleaning, and doing: the laundry. He also abused the children, hitting them as punishment for "minor oversights or: violations of seemingly arbitrary rules." *Id.* at 624. "Although Toviave's treatment of the children was reprehensible," the Sixth Circuit found it did not amount to forced labor in violation of the forced labor statute because

> First, forcing children to do household chores cannot be forced labor without reading the statute as making most responsible American parents and guardians into federal criminals. Second, requiring a child to perform those same chores by means of child abuse does not change the nature of the work. And third, if it did, the forced labor statute would federalize the traditionally state-regulated area of child abuse.

Id. at 625. "[W]ithout a clear expression of Congressional intent," the Sixth Circuit explained that it should not "transform a statute passed to implement the Thirteenth Amendment against slavery or involuntary servitude into one that generally makes it a crime for a person *in loco parentis* to require household chores, or makes child abuse a federal crime." *Id.* at 629.

The defendants here argue that like in *Toviave*, M.B.'s labor amounted only to household chores, and just as a parental figure may compel their children to perform chores around the house, a family may expect one of its members to contribute to the household in many of the ways M.B. did. But the instant case does not place at issue a parent's right to make minor children perform chores as did *Toviave*. Further, "[t]he line between required chores and forced labor may be a fine one in some circumstances," and although the facts of *Toviave* fell "on the chores side of the line," the facts of the instant case fall on the forced labor side of the line because of the sort of labor the defendants told M.B. to perform, the frequency with which they provided these instructions, and the manner by which they compelled M.B.'s labor. *Id.* at 630.

For these reasons, the Court will deny the defendants' judgment for acquittal based on improper application of the forced labor statute.

3. Insufficient Evidence

In the alternative, the defendants argue that the evidence, even when viewed in the light most favorable to the government, does not support their convictions. The Court will consider this argument as to each count.

a. Conspiracy (Count One)

As the Court explained to the jury, to establish a criminal conspiracy to commit forced labor, the government had to prove (1) that two or more people entered into an

agreement or understanding to commit a crime—in this case, forced labor;' (2) that at some time during the existence or life of the agreement or understanding, the defendant knew the purpose of the agreement or understanding; (3) that, knowing the purpose of the agreement or understanding, the defendant entered or deliberately joined the agreement or understanding; and (4) that at some time during the existence or life of the agreement or understanding, any one of its alleged members knowingly performed an overt act to further or advance the purpose of the agreement or understanding. *See* 18 U.S.C. §§ 371, 1589, and 2; *United States v. Singh*, 518 F.3d 236, 252 (4th Cir. 2008); *United States v. Nnaji*, 447 F. App'x 558, 559–60 (5th Cir. 2011) (upholding convictions for forced labor, conspiracy to commit forced labor, and harboring an alien for financial gain).[8]

The jury returned guilty verdicts for each of the defendants as to the charge of conspiracy to commit forced labor. The defendants contend that insufficient evidence supports their convictions for conspiracy. Specifically, the defendants argue that the jury's only evidence of an agreement or understanding to commit forced labor is the familial relationship between them. Nauman Chaudhri and Rehan Chaudhri also contend that the jury lacked

8. As the charged time period in this case ranges from 2000 to 2014, the government charged the defendants under the 2000 version of the forced labor statute, which did not include 18 U.S.C. § 1594 or any independent conspiracy charge for forced labor or sex trafficking. *See* 18 U.S.C. § 1589. The government, therefore, charged the defendants for conspiracy under § 371, which requires proof of an overt act.

evidence that either of them instructed M.B. to perform housework.

i. Agreement or Understanding to Commit a Crime

The government presented evidence beyond the defendants' familial relationship to support the existence of the conspiracy. Specifically, according to M.B.'s testimony, each of the defendants threatened her with deportation due to incomplete paperwork if she retaliated or refused to do as they said. Each the defendants made clear to M.B. that upon deportation, they would keep her children. Although Aman primarily instructed M.B.'s work, everyone in the home, including Nauman Chaudhri and Rehan Chaurdhi, told M.B. to perform housework. Each of the defendants verbally abused M.B., calling her "whore, good for nothing, bastard, bitch" if M.B. completed "a chore, or anything in the house . . . not . . . according to their liking." (Tr. 441–42.) Each of the defendants slapped M.B. Each of the defendants participated in instances of more acute abuse: the Washington, D.C. incident (all defendants), the knife incident (Aman), the stairs incident (Aman, Rehan Chaudhri), and the car incident (Aman, Nauman Chaudhri).[9] Each of the defendants also told

9. Although Aman may have instigated this conspiracy, this evidence showed Nauman Chaudhri's and Rehan Chaudhi's participation. *See United States v. Roberts*, 881 F.2d 95, 101 (4th Cir. 1989) (affirming the district court's jury instruction that "one may become a member of the conspiracy without full knowledge of all of its details, but if he joins the conspiracy with an understanding of the unlawful nature thereof and willfully

M.B.'s children that M.B. was "a crazy woman" who would "sell them out for money." (Tr. 519–20.) Each of the defendants told the children not to go near M.B. or she would hurt them.

The fact that the defendants lived in the same home with M.B. during the twelve-year conspiracy also supports the existence of an agreement or understanding. *See United States v. Collazo*, 732 F.2d 1200, 1205 (4th Cir. 1984) ("To sustain the conspiracy conviction, there need only be a showing that defendant knew of the conspiracy's purpose and some action indicating his participation. These elements can be shown by circumstantial evidence such as his relationship with other members of the conspiracy, the length of this association, his attitude, conduct, and the nature of the conspiracy." (citation omitted)). And to the extent the defendants argue that the conspiracy charge must fail because the government did not point to any explicit conversation between the defendants discussing their agreement, evidence of such an explicit agreement is not required for conviction. *See Iannelli v. United States*, 420 U.S. 770, 777 n.10, 95 S. Ct. 1284, 43 L. Ed. 2d 616 (1975) ("The agreement need not be shown to have been explicit. It can instead be inferred from the facts and circumstances of the case."). The Court, therefore, finds that the government presented sufficient evidence that the defendants entered into an agreement or understanding to force M.B. to perform labor through abuse and threats of serious harm.

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joins in the plan on one occasion, it is sufficient to convict him of conspiracy").

ii. Knowledge of the Conspiracy's Purpose & Willful Entry into the Conspiracy

The evidence also allowed any rational trier of fact to find that the defendants knew the conspiracy's purpose and willfully joined. Not only did each of the defendants instruct M.B. to perform work and abuse her, but each of the defendants took steps to isolate M.B. and keep M.B. in the home. Aman took M.B.'s diary and forbade M.B. from speaking with her family. Rehan Chaudhri made M.B. explain to a congregant at their mosque that she had no interest in getting her driver's license; this incident could have led a reasonable juror to conclude that Rehan Chaudhri participated in the decision to not allow M.B. to drive and intended to dispel any suspicion held by this congregant that the family did not permit M.B. to drive. Nauman Chaudhri helped his mother drag M.B. back to the house after M.B. ran away. This evidence allows any rational trier of fact to find that each of the defendants willfully joined the conspiracy to compel M.B.'s labor with knowledge of the conspiracy's purpose.

iii. Overt Act

Finally, the government presented sufficient evidence for a rational jury to find that at some point during the conspiracy, one of its members knowingly performed an overt act to further or advance the purpose of the conspiracy. As set forth above, M.B. testified that each of the defendants physically and verbally abused her, instructed her to perform services in their home, and

took steps to conceal their crimes. "[B]ecause only one member of a conspiracy must commit an overt act," any one of these overt acts satisfies this element for each of the defendants. *United States v. Godwin*, 272 F.3d 659, 669 (4th Cir. 2001).

For these reasons, the Court finds that the evidence, viewed in the light most favorable to the government, allowed any rational trier of fact to find the essential elements of the conspiracy beyond a reasonable doubt as to each of the defendants.

b. Forced Labor (Count Two)

To establish forced labor, the government had to show (1) that the defendant provided or obtained the labor or services of a person, here, M.B.; (2) that the defendant did so by (A) threats of serious harm to, or physical restraint against, that person or another person; (B) means of a scheme, plan, or pattern intended to cause that person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or (C) means of the abuse or threatened abuse of law or legal process; and (3) that the defendant acted knowingly. *See* 18 U.S.C. §§ 1589, and 2; *United States v. Calimlin*, 2:04cr248, ECF No. 188, Jury Instructions, at 33–34, 44 (E.D. Wis. May 25, 2006). The Court instructed the jury that a defendant acts knowingly if "he or she was conscious and aware of his or her action, realized what he or she was doing or what was happening around him or her, and did not act because of ignorance, mistake, or accident." (ECF No. 223, Jury

Instruction 33, at 36.) The government also charged the defendants in Count Two with attempting to commit forced labor. (*Id.*, Jury Instruction 35, at 38.) The government could prove attempted forced labor by showing that (1) the defendant intended to commit the crime of forced labor as already defined; and (2) that the defendant did an act constituting a substantial step towards the commission of that crime. *See* 18 U.S.C. §§ 1589, and 2; *United States v. Neal*, 78 F.3d 901, 906 (4th Cir. 1996) ("[A] defendant can be convicted of an attempt only if the United States proves beyond a reasonable doubt (1) culpable intent to commit the crime charged and (2) a substantial step towards the completion of the crime that strongly corroborates that intent.").

The jury returned guilty verdicts for defendants Aman and Rehan Chaudhri as to the forced labor charge. Aman and Rehan Chaudhri urge the Court to acquit them of the forced labor conviction based on insufficient evidence.

i. Obtained MB.'s Labor or Services

The government offered sufficient evidence that both Aman and Rehan Chaudhri instructed M.B. to perform work. Although much of the work M.B. performed amounts to housework, that does not preclude Aman's and Rehan Chaudhri's convictions' for forced labor under the forced labor statute. *See supra* Section III.A.2; *Callahan*, 801 F.3d at 614 (affirming the convictions for forced labor of defendants who forced the victim "to clean the apartment, do yardwork, care for their dogs, and run various errands

for them"). Thus, the Court finds that the government presented sufficient evidence that Aman and Rehan Chaudhri obtained M.B.'s labor.

ii. Through a Prohibited Means

The government also offered sufficient evidence that Aman and Rehan Chaudhri compelled M.B.'s work through a prohibited means. M.B. testified that Aman and Rehan Chaudhri verbally and physically abused M.B., threatened her with deportation, and isolated M.B. from her family, her children, and the world outside of the Chaudhri house. By abusing and manipulating M.B. in this way, Aman and Rehan Chaudhri compelled M.B.'s work around the house.

The defendants argue that the abuse M.B. endured did not relate to the labor or services she performed in the house. Although not every instance of abuse about which M.B. testified related directly to labor or services M.B. performed, certain instances did. For example, M.B. testified about the incident when Aman slapped her when M.B. she began her work late because she was tending to her sick infant daughter. In addition, the government asked M.B., "How frequently did Rehan strike you? . . . Was it once a week, once a month?" (Tr. 456.) M.B. replied, "It depended on whatever their mood is. If I haven't listened' to them, if their mom is angry, if [Aman] is angry for me, *if didn't do the chore right*." (Tr. 456 (emphasis added).) M.B. explained that this abuse happened regularly. In these two instances, M.B.'s testimony made explicit the connection between the labor or services she provided

Aman and Rehan Chaudhri and the abuse she endured from them.

As for the instances in which the abuse M.B. endured did not immediately relate to the labor she provided, these instances contributed to the climate of fear created by the defendants to coerce M.B. to remain working in the home. The Fourth Circuit has permitted such a line of reasoning. *See United States v. Booker*, 655 F.2d 562, 566 (4th Cir. 1981) (affirming the defendants' convictions under 18 U.S.C. § 1584, the predecessor to 18 U.S.C. § 1589, and finding that "the record in this case readily establishes the climate of fear pervading [the defendants' agricultural] camp created by the beatings and assaults on the workers and threats of like treatment"); *United States v. Harris*, 701 F.2d 1095, 1100 (4th Cir. 1983) (affirming the defendant's conviction under 18 U.S.C. § 1584, the predecessor to 18 U.S.C. § 1589, based on the "reign of physical terror" created by the defendant and despite the lack of "evidence that [the defendant] personally ever assaulted [the victim] or threatened the victim] with harm"); *Udeozor*, 515 F.3d at 266 (affirming the defendant's conviction under 18 U.S.C. § 1584, the predecessor to 18 U.S.C. § 1589, and explaining that "it was not an abuse of discretion for the trial judge to allow the jury to hear evidence that sexual abuse was used to make the victim believe she had no choice but to comply with the [defendants'] demands"). Thus, although the government did not offer evidence connecting certain instances of abuse M.B. endured with labor she performed, such instances of abuse offer additional evidence of the prohibited means by which Aman and Rehan Chaudhri compelled M.B.'s labor.

Next, Aman and Rehan Chaudhri contend that three of the worst acts of violence M.B. described occurred after 2014, when the charged conspiracy ended. But, when viewing the evidence in the light most favorable to the government, two of the instances occurred before 2014. (*See* Tr. 507–12 (M.B. explaining that Aman and Rehan Chaudhri tied M.B. with rope and dragged and pushed her down the stairs after M.B. came inside after mowing the lawn, a chore M.B. says she stopped performing several years after the birth of her last child in 2008); Tr. 1083–84 (M.B.'s daughter, born in 2003, testified that her "head was just a little bit over the doorknob" when she witnessed Aman's daughter hold a knife to M.B.'s throat while Aman accused M.B. of lying).) But the timing of these instances notwithstanding, M.B. offered ample testimony—detailing years of abuse beginning after the birth of her first child in 2003—that allowed a reasonable jury to find that Aman and Rehan Chaudhri compelled M.B.'s labor through prohibited means.

Finally, the defendants argue that M.B. provided her labor willingly. Although M.B. may have volunteered her work at the beginning her time at the Chaudhri house, her initial consent does not excuse subsequent forced labor. *See Dann*, 652 F.3d at 1164–65 (affirming the defendant's conviction for forced labor even through the victim agreed to enter the United States and work for the defendants); *United States v. Bibbs*, 564 F.2d 1165, 1167 (5th Cir. 1997) (affirming the defendants' convictions for forced labor even though the victims initially agreed to work for the defendants).

iii. Knowingly

Based on the evidenced outlined in Section III.A.3.a.ii, a reasonable jury could have found that Aman and Rehan Chaudhri acted knowingly when compelling M.B.'s labor.

* * *

For these reasons, the Court finds that the evidence, viewed in the light most favorable to the government, allowed any rational trier of fact to find the essential elements of forced labor beyond a reasonable doubt as to Aman and Rehan Chaudhri.

c. Document Servitude (Count Three)

Finally, to establish document servitude, the government had to prove (1) that the defendant concealed, removed, confiscated, or possessed an actual or purported passport or other immigration document, or any other actual or purported government identification document, of the person, here M.B.; (2) that the defendant did so either (A) in connection with violating the forced labor statute; or (B) with the intent to violate the forced labor statute; and (3) that the defendant acted knowingly. *See* 18 U.S.C. §§ 1592 and 2; *Dann*, 652 F.3d at 1173; *Sabhnani*, 599 F.3d at 245.

Aman, the only defendant who stands convicted of document servitude, argues that the Court should acquit her of document servitude because M.B. "provided her [immigration] documents to [the defendants] to make

her husband happy, [and] because her father-in-law kept all travel documents for the family." (ECF No. 248, at 17–18.) But the evidence at trial belies these arguments. M.B. testified that she initially refused to hand over her immigration documents to Aman. Only after M.S. C., S.C., and Aman confronted her and insisted did she capitulate; M.B. felt that she "had no choice except to go and bring [the documents]." (Tr. 434.)[10] After handing over her documents, M.B. testified that every time she would retaliate or refuse to abide by any instructions—about twice a month—the defendants would tell her to "calm [her]self down because [she could] be deported." (Tr. 438.) The defendants placed M.B. under the impression that she remained in the United States illegally. The only time M.B. ever saw her identification while living at the Midlothian house came when the family travelled to California: Aman presented M.B.'s identification to airport security and intervened when the security official attempted to return the card to M.B. herself. Thus, the jury heard sufficient evidence to conclude that Aman possessed M.B.'s immigration papers and did so to keep M.B. in the home performing work.

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10. Even if M.B. did consensually hand over her passport and immigration documents, such consent does not preclude Aman's guilt as to document servitude. *See Dann*, 652 F.3d at 1173–74 (affirming the defendant's conviction for document servitude pursuant to 18 U.S.C. § 1592 even though the victim gave the documents to the defendant for safekeeping, the victim never asked for the documents back, nor did she look for them herself).

B. Aman's and Rehan Chaudhri's Motions for a New Trial

1. Legal Standard

Federal Rule of Criminal Procedure 33(a) provides: "Upon the defendant's motion, the court may vacate any judgment and grant a new trial if the interest of justice so requires." "The ultimate test on a Rule 33 motion is whether letting a guilty verdict stand would be a manifest injustice." *United States v. Ferguson*, 246 F.3d 129, 134 (2d Cir. 2001).

"In deciding a motion for a new trial, the district court is not constrained by the requirement that it view the evidence in the light most favorable to the government." *United States v. Arrington*, 757 F.2d 1484, 1485 (4th Cir. 1985). But "[u]nder the applicable legal principles, a trial court 'should exercise its discretion to award a new trial sparingly,' and a jury verdict is not to be overturned except in the rare circumstance when the evidence 'weighs heavily' against it." *United States v. Smith*, 451 F.3d 209, 216–17 (4th Cir. 2006) (quoting *United States v. Perry*, 335 F.3d 316, 320 (4th Cir. 2003)), *cert. denied by Smith v. United States*, 549 U.S. 892, 127 S. Ct. 197, 166 L. Ed. 2d 161 (2006); *see also Arrington*, 757 F.2d at 1485 ("When the evidence weighs so heavily against the verdict that it would be unjust to enter judgment, the court should grant a new trial.").

Appendix B

When a Rule 33 motion asks the Court to "evaluate for 'itself the credibility of witnesses," courts "should not lightly substitute its judgment for that of the jury." *United States v. Chin*, 181 F.3d 92 (Table) [published in full-text format at 1999 U.S. App. LEXIS 10859], 1991 WL 333137, at *1 (4th Cir. May 26, 1999), *cert. denied Chin v. United States*, 528 U.S. 919, 120 S. Ct. 278, 145 L. Ed. 2d 233 (1999). Indeed, a district court judge could find that "based upon the evidence presented" he or she "would not have found the defendant guilty beyond a reasonable doubt because [he or she] had some problems with the credibility of witnesses." 1999 U.S. App. LEXIS 10859, [WL] at *2 (quoting the district court during the post-trial hearing). But if the jury "didn't have those same problems" and the judge does not "have an abiding conviction that . . . a miscarriage of justice would occur," then the district court properly denies a motion for new trial. *Id.* (quoting the district court during the post-trial hearing).

"Because the courts generally must defer to the jury's resolution of conflicting evidence and assessment of witness credibility, '[i]t is only where exceptional circumstances can be demonstrated that the trial judge may intrude upon the jury function of credibility assessment.'" *Ferguson*, 246 F.3d at 133–34 (alteration in original) (quoting *United States v. Sanchez*, 969 F.2d 1409, 1414 (2d Cir. 1992)). Such exceptional circumstances arise "where testimony is 'patently incredible or defies physical realities.'" *Id.* at 134 (quoting *Sanchez*, 969 F.2d at 1414).

2. Analysis[11]

Only Nauman Chaudhri and Aman move for a new trial pursuant to Rule 33. Nauman Chaudhri does not make his Rule 33 arguments separately from his Rule 29 arguments; instead, he contends that the improper application of the forced labor statute and the lack of sufficient evidence support both his Rule 29 arguments and his Rule 33 arguments. As explained in Sections III.A.2 and III.A.3.a, the Court finds that the forced labor statute properly applied to the instant case such that allowing Nauman Chaudhri's conviction to stand does not result in a manifest injustice and sufficient evidence supports Nauman Chaudhri's conspiracy conviction. The Court will, therefore, deny Nauman Chaudhri's motion for a new trial.

Aman asserts a separate argument to urge the Court to grant a new trial: that M.B.'s testimony "was incredible

11. In conducting this analysis, the Court considers evidence presented by both the government and the defendants during trial. The defendants offered witnesses who testified that they never witnessed abuse at the defendants' home, (*see, e.g.*, Tr. 1480 (Jim Webb, a neighbor), that M.B. was a valued member of the Chaudhri family, (*see, e.g.*, Tr. 1318–20 (B.A.)), and that M.B.'s children were happy and healthy, (*see, e.g.*, Tr. 1433–34:(Melissa Larry, the former teacher of M.B.'s second child, K.S.C.)). The defendants also presented many pictures showing M.B. with the Chaudhri family and M.B.'s children appearing happy and healthy. (*See, e.g.*, Def. Exs. 66-C, 76A, 768, 77A.) The defendants challenged M.B.'s testimony by drawing attention to inconsistencies between her retellings of the same incidents and to M.B.'s difficulty providing dates for certain incidents of abuse.

and impeached repeatedly." (ECF No. 248, at 18.) In support, Aman points to eight statements that M.B. made during trial and evidence that challenges the veracity of each statement. The Court will consider each statement in turn.

a. House Painting

M.B. testified that the defendants made her paint the exterior of the house. Aman explains that no witnesses supported this claim; indeed, neighbors "Mr. Webb and Mr. Bowling . . . said they never saw any female painting the exterior of the house." (ECF No. 248, at 18.) "Mr. Webb testified that when he moved out of his house in 2010, [the Chaudhri house] still had the original paint on it as when he moved into his home in 2000." (*Id.* at 18–19.)

Although Mr. Webb lived across the street, he worked away from the home, (Tr. 1475), and Ms. Bissett, who was formerly married to Mr. Webb, testified that she "lived on the back side of [her] house" so she only looked towards the defendants' home when she was coming or going from her own home, (Tr. 1205). As for Mr. Bowling, he could not see the Chaudhri house from his home, and he worked away from the home. (Tr. 1453–54, 1469.) Thus, the conflicting testimony of Mr. Webb and Mr. Bowling does not render unbelievable M.B.'s testimony about painting the exterior of the house.

b. Concrete Walkway

M.B. testified that she replaced the concrete walkway twice. Aman explains that Mr. Webb's and Mr. Bowling's

testimony contradicted this testimony; neither ever saw M.B. working on the walkway. (Tr. 1468, 1479.) In addition, Mr. Vega, a contractor who Aman hired to fix the walkway, testified that the walkway was very deteriorated when he began his work. (Tr. 894.) But as explained above, Mr. Webb and Mr. Bowling did not watch the house at all times; their not having observed M.B. work on the walkway does not compel the conclusion that the work did not occur. As for Mr. Vega's testimony, a jury could reasonably conclude that the work of someone inexperienced in constructing walkways could quickly deteriorate.

c. Neighbor Interaction

Aman next cites M.B.'s testimony that the defendants forbade her from interacting with neighbors. Aman claims that the following testimony contradicts M.B.'s statement: Ms. Bissett's testimony that she interacted with M.B. on one occasion, Ms. Roarty's testimony that M.B. asked to borrow her phone, and Mr. Bowling's testimony about M.B. stopping on the street to talk to his child. (Tr. 564–65, 938, 1194, 1466–67.)

A jury could reasonably have believed this "contradictory" testimony and still have concluded that the defendants forbade M.B. from interacting with neighbors. Indeed, Ms. Roarty testified that M.B. appeared hesitant and nervous when borrowing the phone, suggesting that the defendants would not have approved of M.B.'s visit to Ms. Roarty. (Tr. 932.) Ms. Bissett testified that M.B. "always seemed to be alone," (Tr. 1193), and Ms. Bowling explained that M.B. would not interact with her on London

Park Drive when the two would pass, (Tr. 1455). Thus, although M.B. interacted with some neighbors, a jury could reasonably have found credible M.B.'s testimony that the defendants forbade such interaction.

d. Immigration Status

Aman contends that M.B.'s "claim concerning lack of knowledge about her immigration status is also unbelievable." (ECF No. 248, at 19.) In support of this position, Aman points to evidence that M.B., who has a college degree in English literature and participated in one year of a master's program in English Literature, (Tr. 609–10), "saw her green card" "[w]ithin ten days of arriving in the United States," "signed four individual letters addressed to the immigration office concerning her immigration status and green card," "travelled to the immigration office in Norfolk on two occasions and travelled to the CVS to obtain a passport photo," and "used her green card to travel to California." (ECF No. 248, at 19.)

M.B. explained, however, that her name was not spelled correctly on the green card she saw after arriving to the United States; she believed this inaccuracy rendered the green card invalid unless the spelling of her name was corrected. (Tr. 645.) As for her signature on the letters, M.B. testified that she was not allowed to see the documents; the defendants would cover the substance of the documents when M.B. signed them. (Tr. 527–28.) On one occasion, M.B. asked Aman about the document she was asked to sign, and Aman explained, "It's nothing

that you should be concerned about." (Tr. 528.) M.B. also testified that she knew the immigration office was a government building, but the defendants never told her the purpose of the visits. M.B. suspected the purpose of one such visit was to renew her passport. (Tr. 530.) During another visit, she provided fingerprints, but she did not know why; she "wasn't allowed to question" and if she did, the defendants would punish her. (Tr. 530–31.) As for the trip to California, M.B. testified that Aman held her identification during the trip, Aman handed M.B's identification to airport security personnel, and Aman intervened when airport security personnel attempted to hand M.B.'s identification to M.B. Although M.B. caught a glimpse of her identification this day, this was the only time she saw her identification. Based on this evidence, a jury could reasonably have found credible M.B.'s statement that she did not know her immigration status while she lived with the defendants.

e. M.S.C.'s Occupation

Aman also cites M.B.'s testimony that she did not know what her husband was doing for work outside the home as evidence of her unreliability. But review of this testimony shows that when M.B. said she did not know what her husband was doing for work, she may have meant that she did not know what type of medicine he practiced and in what sort of setting he worked. A jury interpreting this testimony could have reasonably concluded that M.B. knew her husband practiced medicine, but she just lacked the specifics; thus, M.B.'s testimony that she had "no idea" what her husband did for work does not undermine M.B.'s credibility as the defendants suggest. (Tr. 449.)

f. Incidents of Abuse

Finally, Aman argues that M.B.'s testimony regarding three separate incidents of violence is "simply unbelievable." (ECF No. 248, at 20.) First, M.B. testified that Aman's daughter, B.A., "threatened to cut [M.B.'s] throat with a knife." (*Id.*) Although B.A. denied ever perpetrating violence against M.B., M.B.'s eldest child, F.S.C., testified to having witnessed this incident when she stood about the height of a doorknob. (Tr. 1083–84.) Although F.S.C. did not mention this memory to investigators until she had lived with M.B. for several years, the jury evaluated the credibility of the witnesses and to the extent to jury believed that M.B.'s and F.S.C.'s testimony about the incident, such a belief was reasonable.

The second incident of violence Aman deems unbelievable is M.B.'s testimony that Aman, B.A., and Rehan Chaudhri tied M.B. up with a rope and dragged and pushed her down the stairs. M.B. did not tell investigators about this incident until 2021 and the details of the incident—whether she fell down the stairs at all, whether the rope was tied around her hands, whether she was "pushed" or "dragged" down the stairs—varies between M.B.'s retellings (in her journal, to investigators in 2021, and in court). (Tr. 695–97.) Although B.A. denied this incident, F.S.C. also testified about an incident involving a rope and her mother falling down the stairs. (Tr. 1085–86.) As with the first incident, F.S.C. did not mention this memory to investigators until she had lived with M.B. for several years. Despite this conflicting evidence, a reasonable jury could have believed M.B.'s testimony in whole or in part.

Aman also challenged M.B.'s testimony about Rehan Chaudhri hitting her with a 2x4. Aman finds this testimony incredible because neither Mr. Vega nor Ms. Roarty noticed that M.B. had any injuries when she asked to borrow their phones. Although observations of injury would have bolstered M.B.'s credibility, her testimony is not patently incredible without those observations. M.B. says that the 2x4 mostly hit her in areas that her clothing would have concealed. Although M.B.'s retellings of this event—to investigators, in her journal, in court—are not entirely consistent,[12] the bulk of her testimony remains the same: Rehan Chaudhri hit her six times with a 2x4 after he grew angry with her for not staying in the garage. A reasonable jury could, therefore, have deemed credible M.B.'s testimony in whole or in part.

* * *

Having reviewed the evidence presented in this case, the Court does not find any exceptional circumstance that compels the Court to intrude upon the jury's credibility determinations. The Court, therefore, finds that allowing Aman's convictions to stand does not result in manifest injustice; because "'competent, satisfactory and sufficient evidence' in the record supports the jury verdict," the Court will deny Aman's motion for a new trial. *Ferguson*, 246 F.3d at 134 (quoting *Sanchez*, 969 F.2d at 1414).

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12. These inconsistencies include whether Rehan Chaudhri pushed her into the laundry room, what item M.B. sought to retrieve from the laundry room—her scarf or her prayer rug and Quran, what M.B.'s interaction with Rehan Chaudhri was like before the strikes, and where exactly the 2x4 hit M.B. (*See* Tr. 700–07.)

IV. CONCLUSION

For the foregoing reasons, the Court will deny the defendants' motions for a judgment of acquittal pursuant to Rule 29 and Aman's and Rehan Chaudhri's motions for a new trial pursuant to Rule 33. (ECF Nos. 245, 246, 248.) The Court will issue an appropriate Order.

Let the Clerk send a copy of this Opinion to all counsel of record.

Date: 16 August 2022
Richmond, VA

/s/ John A. Gibney, Jr.
John A. Gibney, Jr.
Senior United States
District Judge

APPENDIX C — ORDER OF THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT, FILED MAY 6, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-4054 (L)
(3:19-cr-00085-JAG-2)

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

MOHAMMAD NAUMAN CHAUDHRI,
a/k/a NAUMAN CHAUDHRI,

Defendant-Appellant.

No. 23-4077
(3:19-cr-00085-JAG-3)

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

MOHAMMAD NAUMAN CHAUDHRI,
a/k/a NAUMAN CHAUDHRI,

Defendant–Appellant.

Appendix C

No. 23-4078
(3:19-cr-00085-JAG-1)

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ZAHIDA AMAN,

Defendant-Appellant.

ORDER

The court denies the petition for rehearing and rehearing en banc. No judge requested a poll under Fed. R. App. P. 40 on the petition for rehearing en banc.

Entered at the direction of the panel: Judge Gregory, Judge Thacker, and Judge Berner.

For the Court

/s/ Nwamaka Anowi, Clerk

APPENDIX D — RELEVANT STATUTORY PROVISIONS INVOLVED

18 U.S.C.A. § 1589. Forced labor

(a) Whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means –

> **(1)** by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;
>
> **(2)** by means of serious harm or threats of serious harm to that person or another person;
>
> **(3)** by means of the abuse or threatened abuse of law or legal process; or
>
> **(4)** by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint,

shall be punished as provided under subsection (d).

(b) Whoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in the providing or obtaining of labor or services by any of the means described in subsection (a), knowing or in reckless disregard of the fact that the venture has engaged in the providing or obtaining of labor or services by any of such means, shall be punished as provided in subsection (d).

(c) In this section:

(1) The term "abuse or threatened abuse of law or legal process" means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.

(2) The term "serious harm" means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

(d) Whoever violates this section shall be fined under this title, imprisoned not more than 20 years, or both. If death results from a violation of this section, or if the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title, imprisoned for any term of years or life, or both.