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**APPENDIX**

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**UNPUBLISHED**

UNITED STATES COURT OF APPEALS FOR THE  
FOURTH CIRCUIT

**No. 25-1023**

Appeal from the United States District Court for the  
Eastern District of Virginia, at Alexandria. Leonie M.  
Brinkema, District Judge. (1:24-cv-01516-LMB-WPB)

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TAMIM SHANSAB,

Plaintiff Appellant,

v,

NASIR SHANSAB, HORACE SHANSAB, YAMA  
SHANSAB, STEPHEN TOWNSEND,

Defendants - Appellees,

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Submitted: July 24, 2025      Decided: July 28, 2025

Before NIEMEYER, AGEE, and HEYTENS, Circuit  
Judges.

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Affirmed by unpublished per curiam opinion.

Tamim Shansab, Appellant Pro Se. Evan Michael Stepanick, WALTON & ADAMS, PC, Reston,

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Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tamim Shansab appeals the district court's order dismissing his amended complaint as time barred and for failure to state a claim. We have reviewed the record and discern no reversible error. Accordingly, we affirm the district court's order. *Shansab v. Shansab*, No. 1:24-cv-01516-LMB-WBP (E.D. Va., Dec. 6, 2024). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

**AFFIRMED**

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FILED: August 26, 2025

UNITED STATES COURT OF  
APPEALS FOR THE FOURTH  
CIRCUIT

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No. 25-1023  
(1:24-cv-01516-LMB-WBP)

TAMIM SHANSAB,

Plaintiff-Appellant,  
v,

NASIR SHANSAB, HORACE SHANSAB, YAMA  
SHANSAB, STEPHEN TOWNSEND,

Defendants - Appellees,

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 Niemeyer, Judge Agee, and Judge Heytens.

For the Court

/s/ Nwamaka Anowi, Clerk

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IN THE UNITED STATES DISTRICT  
COURT FOR THE EASTERN  
DISTRICT OF VIRGINIA  
Alexandria Division

TAMIM SHANSAB, )  
Plaintiff, )  
 ) 1:24cv1516(LMBWBP)  
Nasir Shansab, et al. )  
Defendants. )

ORDER

Pro se, Tamim Shansab (“plaintiff”), an American citizen, filed this tort action against defendants Nasir Shansab, Horace Shansab, Yama Shansab, and Stephen Townsend (collectively, “defendants”), alleging that they are responsible for injuries that occurred from a gun and rocket fight between plaintiff, 18 of his armed employees, and Afghani “police special forces” at an Afghanistan residence in early December 2018, followed by plaintiff’s related imprisonment by Afghani authorities in Afghanistan from early December 2018 until the Taliban took control of the country in August 2021. On November 6, 2024, with the Court’s leave, the four defendants, who are represented by the same attorney, filed a consolidated brief in support of their respective motions to dismiss plaintiff’s complaint. <sup>1</sup>(“Motions”) [Dkt. No. 9]. Plaintiff filed an opposition to

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<sup>1</sup> Defendants’ Motions were filed before plaintiff timely amended his complaint, but the Motions apply with equal force to both complaints. The Amended Complaint raises the same

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four tort claims but separates the intentional infliction of emotional distress claim into four counts, one for each defendant (Counts Four-Seven), rather than applying the same count to all defendants. Compare [Dkt. No. 1] ¶¶ 210-219, with [Dkt. No. 18] ¶¶ 277-324. Additionally, the plaintiff did not attach Exhibits 12 and 13, which are two news articles reporting the attack, to the Amended Complaint.

the Motions to which he attached a lengthy declaration and several exhibits. [Dkt. Nos. 16-17]. Finding that oral argument will not assist the decisional process, the Motion will be decided on the papers submitted by the parties. For the reason that follow, defendants' Motions will be granted.

## I.

The following facts are derived from the Amended Complaint and the exhibits attached to it and to plaintiff's original complaint. For purposes of a motion to dismiss, the Court "accepts as well-pled facts as true and construes these facts in the light most favorable to the plaintiff." Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc., 591 F.3d 250, 255 (4th Cir. 2009). A court may also examine "documents incorporated into the complaint by reference, and matters of which a court may take judicial notice." Tellabs, Inc. v. Makor Issues & Rights, Ltd., 551 U.S. 308, 322 (2007).

On December 3, 2018, 400 Afghani "police special forces" attacked plaintiff and 18 of plaintiff's armed employees at plaintiff's residence in Afghanistan using tanks, "heavy machine guns, RPGs, mines, hand grenades and automatic assault rifles." Am. Compl. ¶¶ 99-100, 107 143; [Dkt. No. 1-12]. Multiple deaths and injuries resulted on both sides of the encounter, and plaintiff received gunshot wounds. Id. ¶ 107. After the attack, the commander of the police special forces—corroborated by "[s]everal special forces soldiers involved in the attack"—told plaintiff that the order to attack came "directly from

[Afghanistan] President Ghani's office and the American military forces." Id. ¶¶ 119, 122. During the two days following the incident, government officials "poured over [plaintiff's] records and pronounced that the attack was the fault of the government." Id. ¶ 145. Despite this pronouncement, on December 7, 2018, plaintiff "was thrown into a prison run by the National Directorate of Security (NDS), Afghanistan's spy agency." Id. ¶ 146. Plaintiff remained in prison until the Taliban took over Afghanistan in August 2021. Id. ¶ 190. After delays allegedly caused by a combination of defendants' efforts and plaintiff's need to "wait for his travel documents from the United States Department of State," plaintiff returned to the United States on September 6, 2022. Id. ¶¶ 195, 223.

On August 29, 2024, plaintiff filed his first complaint, which he replaced with an Amended Complaint on November 26, 2024. The Amended Complaint alleges that the defendants - plaintiff's 85-year-old father Nasir, his older brother Horace, his younger brother Yama, and his cousin Stephen Townsend, a now-retired four-star United States Army general—were responsible for the December 3, 2018 attack in Afghanistan, his imprisonment by Afghani authorities, and for the physical and emotional injuries that resulted.<sup>2</sup> Am. Compl. ¶¶ 110, 129, 133, 135. The Amended Complaint further alleges that plaintiff owned the property where the

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<sup>2</sup> The Amended Complaint also alleges dozens of facts about family and financial difficulties between the parties going back as far as 2002, see, e.g., Am. Compl. ¶¶ 10-50, which are not relevant to the claims at issue.

attack occurred but that defendant's, while located "8,000 miles away" in the United States, had informed the leader of the Afghani police special forces, among others, that plaintiff had wrongfully stolen the property from defendant Nasir. Id. ¶¶ 118, 124, 199. The defendants are further alleged to have filed complaints against the plaintiff with the Taliban police after he was released from prison, causing him to remain in Afghanistan against his will. Id. ¶¶ 191-92. Finally, on March 22, 2022, defendants Nasir and Yama allegedly sent two videos to the Taliban Deputy Minister of Interior in which they stated falsehoods about plaintiff calculated to induce the Taliban to kill him. Id. ¶¶ 198, 201-02, 205.

The Amended Complaint raises four state-law tort claims against each defendant: assault (Count One), battery (Count Two), battery (Count Two), false imprisonment (Count Three), and intentional infliction of emotional distress (Count Four-Seven). Plaintiff seeks "compensatory, consequential, exemplary and punitive damages as well as attorney's fees, cost and [] other relief." Id. ¶ 2.

## II.

A motion to dismiss under Federal Rule of Civil Procedure 12(b)(6) requires a court to dismiss a complaint if the "plaintiff's allegations fail to state a claim upon which relief can be granted." Abdelhamid v. Sec'y of the Navy, 525 F. Supp. 3d 671 681 (E.D. Va. 2021) (quoting Adams v. NaphCare, Inc., 244 F. Supp. 3d 546, 548 (E.D. Va. 2017)). To

survive a Rule 12(b)(6) motion, a complaint's factual allegations must be more than speculative and must state a claim to relief that is plausible on its face." Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007). Although a court must accept all well-pleaded allegations as true and view the complaint in the light most favorable to the plaintiff, it need not accept "unwarranted inferences, unreasonable conclusions, or arguments." Philpips v. Pitt Cnty. Mem'l Hosp., 572 F. 3d 176, 180 (4th Cir. 2009) (cleaned up).

Although courts should construe pro se pleadings liberally, the [p]rinciples requiring generous construction of pro se complaints are not ... without limits." Beaudett v. City of Hampton, 775 F. 2d 1274, 1278 (4th Cir. 1985). "In interpreting a pro se complaint... [a court's] task is not to discern the unexpressed intent of the plaintiff, but what the words in the complaint mean." Laber v. Harvey, 438 F.3d 404, 413 n.3 (4th Cir. 2006) Because courts are not required "to conjure up questions never squarely presented," Beaudett, 775 F.2d at 1278, a pro se plaintiff's claim for relief must be reasonably evident from the face of the complaint.

### III.

As defendants correctly argue, all of the plaintiff's claims are time-barred because the alleged facts giving rise to each cause of action occurred well outside the applicable statute of limitations period. [Dkt. No. 9] at 6. Because this civil action was brought under federal diversity jurisdiction, a

federal court in Virginia applies Virginia's statutes of limitations. See L-3 Comms. Corp. v. Serco, Inc., 926 F. 3d 85, 96 (4th Cir. 2019). Virginia imposes a two-year statute of limitations for the personal injury torts alleged in this civil action, Va. Code § 8.01 - 243(A), meaning that any injury alleged must have occurred no earlier than two years before the date the plaintiff filed his initial complaint, August 29, 2024. Accordingly, the only acts this Court may consider are those that occurred on or after August 29, 2022.

Each of the four torts alleged in the Amended Complaint rests on actions that occurred long before August 29, 2022, most importantly the December 3, 2018 firefight and plaintiff's resulting imprisonment, which ended in August 2021. Similarly, the defendants' alleged actions to delay plaintiff's return to the United States, including the March 2022 videos allegedly intended to induce the Taliban to kill plaintiff, are barred from the Court's consideration by the statute of limitations.

Plaintiff seeks to avoid this straightforward application of the statute of limitations by relying on equitable tolling and the continuing violations doctrine. [Dkt. No. 17] at 9-12. Equitable tolling—the power of courts to delay the time at which a limitations period begins to run—is available to a litigant who shows “(1) that he has been pursuing his rights diligently, and (2) that some extraordinary circumstance stood in his way and prevented timely filing.” Holland v. Florida, 560 U.S. 631, 649 (2010). Plaintiff argues that the combination of his

imprisonment from December 2018 until August 2021, defendants' tactics to force him to remain in Afghanistan, and the United States Department of State's delay in granting plaintiff his travel documents to return to the United States constitute an "extraordinary circumstance" that justifies tolling the onset of the limitations period to September 6, 2022, which is the date he returned to the United States. [Dkt. No. 17] at 9.

The Fourth Circuit has repeatedly stated that "any invocation of equity to relieve the strict application of a statute of limitations must be guarded and infrequent." Harris v. Hutchinson, 209 F. 3d 325, 330 (4th Cir. 2000). After closely examining the allegations in the Amended Complaint, the Court finds that the plaintiff purports to have known that he had a basis for claims against the defendants well before September 6, 2022, and that the delay in his return was allegedly caused by a combination of factors, not all of which were related to the defendants, and that plaintiff was not pursuing his rights diligently." Holland, 560 U.S. at 649. Accordingly, plaintiff's claims are not entitled to equitable tolling.

The continuing violations doctrine is also inapplicable to the facts alleged. As the Fourth Circuit has explained, "[a] continuing violation is occasioned by continual unlawful acts, not continual ill effects from an original violation." National Advertising Co. v. City of Raleigh, 947 F.2d 1158, 1166 (4th Cir. 1991) (internal citation omitted). The allegations in the Amended Complaint do not

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support a finding that the actions that caused plaintiff's injuries—the December 2018 attack and imprisonment—were continuing until September 6, 2022, much less to the present day. Rather, the alleged injurious conduct occurred in 2018. That the “ill effects” of that conduct appear to have persisted does not constitute a continuing violation. For all of these reasons, plaintiff's claims are time-barred, and neither equitable tolling nor the continuing violations doctrine applies.

Even if plaintiff's claims were not time-barred, the Amended Complaint fails to allege sufficient facts to make out any plausible claim. The primary reason why each tort claim fails is that the Amended Complaint does not allege sufficient facts to make out any plausible claim that any defendant caused plaintiff's injuries. Apart from plaintiff's (and his wife's) conclusory, self-serving statements to the contrary, see e.g., Am. Compl. ¶¶ 110, 133; [Dkt. No. 16-14] ¶¶ 6-10, the facts alleged do not support a reasonable inference that any defendant had the ability to control the Afghani “special police forces” or American military forces in Afghanistan, or that any defendant caused the attack on plaintiff or his imprisonment. Indeed, the alleged facts raise the plausible inference that Afghani authorities, not defendants, caused plaintiff's alleged injuries.

Any inference that defendants caused plaintiff's injuries further undermined by the timing of defendant's statements and actions as alleged in the Amended Complaint. Before the December 3, 2018 firefight, the most recent statement or action by

Yama occurred in early 2016. Id. ¶¶ 70-73 (“Defendant Yama Shansab threatened Plaintiff Tamim Shansab that he would make sure that Plaintiff’s Tamim Shansab’s life would be ruined.”) Defendant Horace’s most recent statement or action occurred in the summer of 2017. Id. ¶¶ 81-83 (“In the summer of 2017, Defendant Horace Shansab called Plaintiff Tamim Shansab and told him that if he went to Afghanistan again, he would be killed”). The most recent statement or action by defendant Nasir occurred by letter on June 25, 2018. Id. ¶ 91 (“I want you to know that from now on, I will not hesitate to put you in jail, here in the U.S, or in Afghanistan.”). Finally, the last statement or action by defendant Townsend occurred sometime in 2015.<sup>3</sup> Id. ¶¶ 57-60 (Defendant Horace Shansab told Plaintiff Tamim Shansab that he and the other Defendant conspirators had agreed that Defendant Stephen Townsend would help Defendant Nasir Shansab with his issues against Plaintiff Tamim Shansab in Afghanistan”). Moreover, the Amended Complaint alleges that each defendant was in the United States during and around the time of the attack. Given these allegations, it is highly implausible that any defendant committed or caused to be committed an assault, battery, false imprisonment, or intentional infliction of emotional

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<sup>3</sup> This does not include the implausible allegation that “Stephen Townsend, a four-star General in the United States Army (retired), had requested of his colleague and friend, commander of all American and NATO forces in Afghanistan, four-star General Austin Scott Miller (retired), to assist the Afghan puppet/client government special forces in their attack on Plaintiff Tamim Shansab.” Am. Compl. ¶ 110.

distress tort<sup>4</sup> against the plaintiff when he was attacked on December 3, 2018 and imprisoned days later. Despite their numerosity, the allegations, in the Amended Complaint do not meet the plausibility threshold in Twombly and Iqbal, and often verge on the fanciful.

#### IV.

The Amended Complaint alleges a long, detailed, and rocky family history, beginning in 2002 and continuing to the present; however, despite 324 numbered paragraphs and 13 exhibits, the Amended Complaint does not allege facts that plausibly connect any defendant to plaintiff's December 2018 battle with Afghani police special forces, his imprisonment, his related injuries, or his delayed return to the United States. The claims are also time-barred. For all these reasons, defendants' Motions, [Dkt. Nos. 4-5, 7-8], are GRANTED, and it is hereby ORDERED that plaintiff's Amended Complaint be and is DISMISSED.

To appeal this decision, plaintiff must file a written notice of appeal with the Clerk of the Court within thirty (30) days of the date of entry of this Order. A notice of appeal is a short statement indicating a desire to appeal, including the date of the order plaintiff wants to appeal. Plaintiff need not explain the grounds for appeal until so directed by the

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<sup>4</sup> As Virginia courts have repeatedly emphasized, “[t]he tort of intentional infliction of emotional distress is ‘not favored’ in the law.” Supervalu, Inc. v. Johnson, 666 S.E. 2d 335, 343 (Va. 2008) (internal citation omitted).

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United States Court of Appeals for the Fourth Circuit. Failure to file a timely notice of appeal waives plaintiff's right to appeal this decision.

The Clerk is directed to forward copies of this Order to counsel of record and to plaintiff, pro se, at his address of record; to enter judgment in defendants' favor pursuant to Fed. R. Civ. P. 58; and to close this civil action.

Entered this 6th day of December, 2024.

Alexandria, Virginia

\_\_\_\_\_/s/\_\_\_\_\_  
Leonie M. Brinkema  
United States District Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF  
AMERICA,

v,  
JOHN ROBERT  
BOLTON, II,  
Defendant

CRIMINAL NO.  
TDC25CR314

(Transmission of  
National Defense  
Information, 18 U.S.C.  
§ 793(d); Retention of  
National Defense  
Information, 18 U.S.C.  
§ 793(e); Forfeiture, 18  
U.S.C. § 793(h), 18  
U.S.C. § 981(a)(1)(C),  
21 U.S.C. §853(p), 28  
U.S.C. § 2461(c))

INDICTMENT

The Grand Jury for the District of Maryland charges  
that:

GENERAL ALLEGATIONS

At all times relevant to this Indictment, unless  
otherwise indicated:

Introduction

1. The defendant JOHN ROBERT BOLTON, II ("BOLTON"), resides in Montgomery County, Maryland, and, from the 1980s through 2019, served intermittently in a variety of senior U.S. Government positions, including as an Assistant Attorney General in the U.S. Department of Justice, an Under Secretary of State in the U.S. Department of State, U.S. Ambassador to the United Nations,

and, in his last position of public service, from April 2018 to September 2019, as Assistant to the President for National Security Affairs, which was commonly known as the National Security Advisor.

38. On or about December 2, 2018, **BOLTON** sent Individuals 1 and 2 a 15-page document, which contained information that **BOLTON** learned while National Security Advisor. Individual 2 responded, "Diary arrived" and then sent a message that stated, "But no commentary on [Foreign Country 1] judicial system article I sent or administration sentiment on [arrest in Foreign Country 1]?" In response, **BOLTON** sent a message that stated, "I'm working on it!!!"

39. On or about December 4, 2018, Individual 2 sent additional messages to **BOLTON** and Individual 1 regarding the arrest of an individual in Foreign County 1. Individual 2 told **BOLTON** and Individual 1 that the arrested individual in Foreign Country 1 was being interrogated and that a relative of the arrested individual would "be in DC ... if useful to get him in front of [senior U.S. Government official] or anyone else." In response to Individual 2's message that law enforcement in Foreign Country 1 was interrogating the arrested individual, Individual 1 sent a message that stated, "Ye gods. Next thing they'll pull a Khashoggi<sup>6</sup> on him." In response, Individual 2 sent a message that asked, "But [nickname for **BOLTON**] has no feedback?"

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<sup>6</sup> Jamal Khashoggi was a Saudi journalist who was murdered in 2018 in the Consulate of Saudi Arabia in Istanbul, Turkey.

**The following is some of the direct evidence and facts pleaded by petitioner in his amended complaint:**

On or about April of 2013, defendant Nasir Shansab demanded that plaintiff turn over his assets to him and let him "take over." (Amended Complaint ¶ 44 (Exhibit P4, April 29, 2013, email exchange.))

On or about April of 2014, defendant Nasir Shansab came to Afghanistan, threatened plaintiff's life and told him to use his gun to shoot himself in the head. (Amended Complaint ¶ 45), Exhibit P5, May 6, 2014, letter from plaintiff to defendant Nasir Shansab.))

On July 5, 2014, defendant Nasir Shansab demanded over half a million dollars from plaintiff for himself and defendants Horace and Yama Shansab. None of the defendants were entitled to plaintiff's money. (Amended Complaint ¶ 47-51 (Exhibit P6, July 5, 2014 email from defendant Nasir Shansab to plaintiff.))

In 2015, defendant Horace Shansab went to Afghanistan and repeatedly threatened and tried to pressure plaintiff to give defendant hundreds of thousands of dollars and to turn over his properties to them. Defendant Horace Shansab threatened plaintiff that he would shoot plaintiff or anyone else who would not let him or his father into plaintiff's house. (Amended Complaint ¶¶ 53-65, (Exhibit P7,

July 13, 2015, letter from plaintiff to defendants Yama and Horace Shansab.))

On or about December of 2015, defendant Nasir Shansab attempted to imprison plaintiff through the Attorney General's Office in Afghanistan, by claiming that plaintiff had stolen his house, vehicle and a handgun. (Amended Complaint ¶¶ 66-67.)

On January 8, 2016, defendant Nasir Shansab threatened plaintiff in writing that he had access to the President of Afghanistan, Ashraf Ghani, through his uncle Qayoum Kochai, whom he knew well, and who was also an advisor to President Ghani. (Amended Complaint ¶¶68-69, (Exhibit P8, January 12, 2016, email exchange.))

Defendant Yama Shansab repeatedly threatened plaintiff to agree to their demands or that he would ruin plaintiff's life. (Amended Complaint ¶¶ 70-73.)

On or about April of 2016, defendant Nasir Shansab attempted to take plaintiff's properties and assets by force with the help of General Rashid, an Afghan police general with high level government and political connections. (Amended Complaint ¶¶ 74-77. (Exhibit P9, April 10 email exchange, defendant Nasir Shansab mentions General Rashid in his email at p. 2-3.))

From 2016 onwards, defendant Nasir Shansab enlisted the help of Haji Almas Zahid, a notorious

criminal warlord and senior advisor to President Ashraf Ghani, to remove plaintiff from his property and business by force. (Amende Complaint ¶¶ 78-80.)

On May 30, 2016, plaintiff wrote to President Ashraf Ghani, that the Kabul police, along with defendant Nasir Shansab, were repeatedly threatening his life and attempting to take his assets and properties by force, (Amended Complaint ¶ 80, (Exhibit P10, May 30, 2016, email letter to President Ashraf Ghani.)

In the summer of 2017, defendant Horace Shansab called plaintiff and told him that if he went back to Afghanistan, he would be killed. (Amended Complaint ¶¶ 81-82, (Plaintiff's Declaration ¶ 45.))

In the summer of 2017, defendant Horace Shansab called his own and plaintiff's mother to warn plaintiff not to go back to Afghanistan or that he would be killed. (Amended Complaint ¶ 83, (Plaintiff D3 ¶ 45.))

In the fall of 2017, defendant Nasir Shansab called plaintiff's mother and told her that he was going to kill plaintiff. (Amended Complaint ¶¶ 84-88.)

Defendant Nasir Shansab, together with President Ashraf Ghani's senior advisor and criminal warlord, Haji Almas Zahid, along with police force members, repeatedly came to plaintiff's

property and threatened his life unless he relinquished his property and asset to them. (Amended Complaint ¶ 89, (Plaintiff's Declaration ¶¶ 23-25.))

On January 18, 2018, plaintiff contacted the United States Embassy in Kabul, Afghanistan requesting their assistance with stopping the threats against his life and property. (Amended Complaint ¶ 90.)

On June 25, 2018, defendant Nasir Shansab wrote an email to plaintiff threatening to imprison him in United States or in Afghanistan and attempting to blackmail plaintiff into submission. (Amended Complaint ¶¶ 91-92, (Exhibit P11, June 25, 2018, email from defendant Nasir Shansab to plaintiff, (Plaintiff's Declaration ¶¶ 13-14.)))

In the summer of 2018, plaintiff had a meeting with Afghan National Security Advisor (NSA) to President Ashraf Ghani, Haneef Atmar, who told him that President Ghani and his brother had taken an interest in plaintiff's property and that they planned on building a high-rise office/shopping mall/hotel complex on plaintiff's property, together with plaintiff's father, defendant Nasir Shansab. (Amended Complaint ¶¶ 96-97, Plaintiff's Declaration ¶¶ 19-21.))

On December 1, 2018, two days before the attack on plaintiff, the legal advisor to President Ghani, Mr. Majur called plaintiff and inquired of him if he

was willing to relinquish his property to President Ghani and his father defendant Nasir Shansab. (Amended Complaint ¶ 98, (Plaintiff's Declaration ¶ 22.))

On the morning of December 3, 2018, 400 Afghan police special forces, trained, equipped and paid for by the United States government to fight terrorists, attacked plaintiff, sitting peacefully in his own home. The lawyer representing defendants, Hamid Nazari, was standing with the special forces immediately prior to the attack. (Amended Complaint ¶¶ 99-107.)

On December 3, 2018, while the attack was unfolding on plaintiff, he called his wife Melanie in the United States and asked her to call defendant Stephen Townsend and inquire as to why American soldiers were involved in an illegal attack against an American. Defendant Stephen Townsend sent a message to plaintiff's wife Melanie that "come morning, the American forces will join the fight directly and the attack would be much more intense." (Amended Complaint ¶¶ 108-132, (Declaration of Melanie Shansab 5-6.))

On December 3, 2018, while the attack was ongoing, defendant Nasir Shansab told plaintiff's wife Melanie Shansab that he had committed the attack on plaintiff. (Amended Complaint ¶ 133, (Declaration of Melanie Shansab ¶ 8.))

On December 3, 2018, as the attack on plaintiff was in progress, defendant Horace Shansab went to his and plaintiff's mother's house, and proclaimed that his father defendant Nasir Shansab had committed the attack on plaintiff, and that he would be killed. (Amended Complaint ¶ 136.)

On December 31, 2018, while plaintiff's wife Melanie Shansb was present, defendant Horace Shansab admitted that his father defendant Nasir Shansab had caused the attack on plaintiff. (Amended Complaint ¶ 138, (Declaration of Melanie Shansab ¶ 10.))

In mid-2019, while plaintiff was being held hostage in an Afghan prison, defendant Horace Shansab went to Afghanistan to attempt to take over plaintiff's property and assets. (Amended Complaint ¶ 141.)

When the police special forces were unable to kill plaintiff after a full day of shelling him with heavy machine guns, RPG's, mines, hand grenades and automatic assault rifles, the Afghan government contacted plaintiff and proposed a solution by accepting blame for the illegal attack on plaintiff, but reneged on their word to correct their actions, and instead, threw plaintiff into a prison housing ISIS militants, and thereafter, to the infamous Pule-Charkhi prison. (Amended Complaint ¶¶ 143-179, (Plaintiff's Declaration ¶¶ 9; 46.))

In January of 2019, defendant Nasir Shansab and his Afghan lawyer Hamid Nazari, who had come to plaintiff's house on the day of the attack and stood alongside the special forces immediately prior to the attack, came to the Pule-Charkhi prison and demanded to see plaintiff, presented plaintiff a proposal of his freedom in return for all of his assets in Afghanistan. (Amended Complaint ¶¶ 157-159, (Plaintiff's Declaration ¶ 48.))

On September 11, 2020, plaintiff submitted information to the American government that the Afghan Attorney General's Office had declared plaintiff's innocence to the Afghan courts, and that the Afghan government had returned plaintiff's property back to him on June 18, 2020. (Amended Complaint ¶ 180, (Plaintiff's Declaration ¶¶ 16-17.))

On September 27, 2020, Shaker Kargar, the Chief of Staff to President Ghani contacted plaintiff by phone and told plaintiff that he had been instructed by President Ashraf Ghani to resolve plaintiff's case and secure his freedom. (Amended Complaint ¶182, (Plaintiff's Declaration ¶ 49, Exhibit E.))

On January 17, 2021, defendant Nasir Shansab and his old partner Daood Moosa went with Afghan police special forces to plaintiff's business and property to take it by force for themselves. (Amended Complaint ¶ 183, (Plaintiff's Declaration ¶ 50.))

On May 31, 2021, defendant Horace Shansab called plaintiff's mother to ask for plaintiff's

passport number and social security number at the request of defendants Stephen Townsent, Yama Shansab and Nasir Shansab. (Amended Complaint ¶¶ 184-188, (Plaintiff's Declaration ¶ 51,))

On August 12, 2021, the day that Kabul fell to the Taliban, defendant Stephen Townsend called plaintiff's mother and inquired as to how much time plaintiff had left on any sentence in Afghanistan. (Amended Complaint ¶¶ 187-188, (Plaintiff's Declaration ¶ 52.))

In late August, early September of 2021, plaintiff was summoned by three different Taliban police districts in Kabul, based on the complaints made on behalf of defendant Nasir Shansab. (Amended Complaint ¶¶ 190-197, (Plaintiff's Declaration ¶¶ 53-54.))

In March of 2022, defendants Nasir and Yama Shansab created two videos and sent them to the Taliban Deputy Minister of Interior in an attempt to have plaintiff murdered once again. (Amended Complaint ¶¶ 198-215, (Plaintiff's Declaration ¶¶ 55-67, Exhibit F.)) (Exhibit AP1 attached to Appeal Brief.)

Once before a Taliban court, a three-judge panel questioned the parties and required documentary proofs from both sides supporting their respective positions. The Taliban court sided with petitioner and threw defendants' lawyers into prison.

(Amended Complaint ¶¶ 216-222, (Plaintiff's Declaration ¶¶ 68-74, Exhibit G.))

On July 20, 2023, plaintiff's attorney in Afghanistan contacted him and told him that defendant Nasir Shansab had traveled to Afghanistan, and in the company of armed Taliban fighters, had gone to the Kabul police district 4 station and lodged a complaint against plaintiff, that plaintiff had forcibly taken his property and assets. (Amended Complaint ¶¶ 224-233, (Plaintiff's Declaration ¶¶ 76-83, Exhibit H.))

On July 19, 2024, a fifth lawyer representing defendant Nasir Shansab accompanied by four armored vehicles loaded with Taliban fighters came to plaintiff's property and demanded that plaintiff vacate his property immediately, and hand it over to them, or that they would kill everyone inside and take the property by force. (Amended Complaint ¶¶ 235-239, (Plaintiff's Declaration ¶¶ 85-89, Exhibit I.))

The following is an exact, verbatim and uncontested translation of the two videos sent by respondents Yama and Nasir Shansab to the Taliban Deputy Minister of interior: (Plaintiff's Declaration Exhibit F.)

1. Greeting
2. What I am about to say is for the person to whom it pertains. (Taliban Deputy Minister of Interior.)
3. This is an issue about our properties in Afghanistan, in Kabul.
4. And an issue about my son. (Plaintiff Tamim Shansab.)
5. It has been reported to me that my son (Plaintiff Tamim Shansab) has said that I have died. And that the properties belong to him.
6. And the two lawyers who were doing our work in Kabul, he has imprisoned.
7. And he has said that they have stolen two hundred and twenty thousand dollars.
8. From what I know and what I believe, this has not happened.
9. During the time that my lawyers have been accused of breaking into (Plaintiff Tamim Shansab's) house and stolen his money, I actually did not know them, and they didn't actually know me, and actually they not my lawyers then.
10. From what I have been told and I understand, it has been said that I, father of Tamim (Plaintiff Tamim Shansab) have died and am not around.
11. Now, I am telling you that my name is Nasiruddin Shansab and I am the father of Tamim (Plaintiff Tamim Shansab.)
12. And that if this has been said about me, this is an absolute wrong statement and is a lie.

13. I feel sorry that I have to say this about my son.  
(Plaintiff Tamim Shansab.)
14. My son (Plaintiff Tamim Shansab) has not been raised in Afghanistan.
15. He (Plaintiff Tamim Shansab) doesn't know the Farsi language well.
16. He (Plaintiff Tamim Shansab) cannot read Farsi.
17. He (Plaintiff Tamim Shansab) is under the influence of a very well-known man in Afghanistan.
18. He was the Minister of Defense of Afghanistan, General Abdul Rahim Wardak.
19. And his (Plaintiff Tamim Shansab) mother who is, who was once my wife until we got divorced, and now is the wife of General Abdul Rahim Wardak.
20. He (Plaintiff Tamim Shansab) is under their influence.
21. And whatever they have told him (Plaintiff Tamim Shansab) or done for him I believe, that they have proceeded with lies.
22. And this is the first time that he (Plaintiff Tamim Shansab) is committing an injustice against someone else.
23. And I will not accept injustice under absolutely no circumstance.
24. Please let the people (Defendant Nasir Shansab's lawyers) who have been imprisoned, if these things have happened this way, please let them go.
25. They are innocent.
26. They have no guilt whatsoever.

27. My son (Plaintiff Tamim Shansab) has either become a very bad person, or he has lost his mind, or he, himself has become a bad person.
28. He (Plaintiff Tamim Shansab) has an American passport.
29. Send him (Plaintiff Tamim Shansab) back to America.
30. Don't allow him (Plaintiff Tamim Shansab) to commit any more bad deeds in Afghanistan.
31. Take my properties and hand them over to my lawyers.
32. My property has multiple deeds.
33. One property in Shar-e-Now is in my name.
34. One part of the property in Shar-e-Now is in my father's name.
35. And another larger part of the property is in the name of my mother.
36. The property in Karte Se is in my father's name.
37. I am his son and they belong to me.
38. And I do not want these bad deeds and lies to take hold here.
39. There is a property that belongs to my sister, that is in Karte....., I don't recall now where it is, that has also been taken by force and rented out.
40. We took that property back from them and that was also wrong. They had it rented out and taken six month's rent in advance.
41. And all these years that my properties have been rented out, General Wardak has taken the money for himself.

42. And with my son Tamim (Plaintiff Tamim Shansab) he is a person who belongs to General Wardak.

43. He (Plaintiff Tamim Shansab) is a very bad man.

44. He (Plaintiff Tamim Shansab) threatens everyone, he lies everywhere and is under the influence of General Wardak.

45. I am not saying that my son (Plaintiff Tamim Shansab) is not without guilt.

46. He (Plaintiff Tamim Shansab) is a big man and he should judge himself.

47. And his (Plaintiff Tamim Shansab) judgments are bad judgments.

48. I am disgusted that I have to say these things about my son (Plaintiff Tamim Shansab.)

49. Please, release the two people who have imprisoned.

50. They are innocent.

51. They are my lawyers.

52. They are not actually my lawyers directly, they are my lawyers (Hamid Nazari) lawyers, because my lawyer (Hamid Nazari) is outside the country (Wanted fugitive in Afghanistan.)

53. This is what I had to share with you, please act on it.

54. In the past, with the prior government, unfortunately, judges would take bribes, and they paid bribes and knew everyone, and none of my work got accomplished.

55. And now that it has changed and that you (Taliban) have come to power and that you (Taliban)

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are famous for not taking bribes and accepting the truth.

56. And today, I have hope that I can do business with you.

57. Thank you very much.

Video 2 Translation:

1. I am once again sending you a message,
2. I believe that I made a mistake, the name of Hassibullah is Hassibullah Rahmani. I think that I said something else.
3. And I also want to give you my home telephone number once again, so there is no mistake, and if you want to get in touch with me there, please get in touch with me.
4. 1 for America, 703-476-6284 is my number.
5. In God's name, I hope that I have told you everything and I am convinced that you will do the right thing, and there is hope that you will do the right thing and that you will bring this matter to a conclusion.
6. I am under tremendous pressure because two innocent people have been told a lie about.
7. Thank you very much.

Hello,

The court does not accept documents in this format from pro & parties. In order to submit something in any other form but paper, you must file a motion for leave of court to do so. The USB drives have been mailed back and are not included w/ your latest submission

Thank You,  
Clerk

From : nshansab@aol.com  
To: maxefs@aol.com  
Date: Monday, June 25, 2018 at 12:52 PM EDT

Tamim:

It has been reported to me that you are trying to sell Mahbub's house. My sisters and your aunt in Switzerland have lost trust in you and have asked me to take care of their houses. If you remember, they agreed to give you powers of attorney upon my assurance that you could be trusted.

Unfortunately and to my utter shock, you turned out to be a thief. You stole money from your Japanese partners. You destroyed a large business. And, under the influence of Cocaine, you thought that litigation was a quick way of making big money and went on monetarily devastating legal battles. When you had exhausted all those other possibilities, you turned on your own father and began to do things that a honorable person does not do.

Since you closed the doors on me and left me outside my own house, I have been silent. But whatever you do will no longer to tolerated. You are a violent person who has used Mir's account to launder money, to steel from me, and you have illegally changed my mother's house into your name. You have entered into my email account and gone through my correspondence in the hope to find dirt. You have entered into an unholy alliance with your mother. She planned with you how to turn my

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mother's house into your name. You have used the Mir's account to launder her, probably illegal, money.

I am afraid that you are again under the influence of illegal drugs, I find it otherwise impossible to understand your actions. I want you to know that from now on, I will not hesitate to put you in jail, here in the U.S. or in Afghanistan.

If you don't want this dirt to get into the open, you must cease what you are doing and undo the wrongs that you have committed.

Enough is enough.

Nasir