

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN THE MATTER OF)
THE EXTRADITION OF) No. 24-mj-01365-DLC
EYLEM TOK)

[PROPOSED] CERTIFICATION AND COMMITAL FOR EXTRADITION

Having held an extradition hearing on September 11, 2024, and after considering the evidence, in particular, the certified and authenticated documents submitted by the Republic of Türkiye (Türkiye), and the pleadings and the arguments of both counsel, the Court finds and certifies to the Secretary of State as follows:

(1) This Court has jurisdiction over, and the undersigned is authorized to conduct, extradition proceedings pursuant to 18 U.S.C. § 3184;

(2) This Court has personal jurisdiction over Eylem Tok (Tok) found and arrested on June 14, 2024, in this District pursuant to a complaint filed by the United States in response to the request of Government of Türkiye for Tok’s extradition;

(3) The extradition treaty between the United States and Türkiye¹ (the “Treaty”) was in full force and effect at all times relevant to this action;

(4) The Eylem Tok sought by Türkiye and the Eylem Tok arrested in this District for extradition and brought before this Court are one and the same person;

(5) Tok is being prosecuted in Türkiye for one charge of Destroying, Concealing or Altering Evidence, in violation of Article 281 of the Criminal Code of Türkiye, and one charge of Protecting an Offender, in violation of and punishable by Article 283 of the Criminal Code of Türkiye. The Government of Türkiye has jurisdiction over the alleged criminal conduct;

(6) The above referenced Treaty between the United States and Türkiye, pursuant to Article 2, encompasses the offenses for which Tok is being prosecuted and for which extradition is sought for trial;

(7) The Government of Türkiye submitted documents that were properly authenticated and certified in accordance with 18 U.S.C. § 3190. Those documents include the pertinent text for the crimes for which Tok is being prosecuted;

(8) There is probable cause to believe that the Eylem Tok before this Court, the same person identified in the extradition request from the Government of Türkiye, committed the

¹ Treaty on Extradition and Mutual Assistance in Criminal Matters Between the United States of America and the Republic of Turkey, U.S.-Turk., June 7, 1979, 32 U.S.T. 3111.

offenses for which extradition is sought;

(9) The evidence before this Court is sufficient to justify Tok's committal for trial, on felony charges, had the offenses with which she is accused of having committed occurred in the United States. This finding rests upon the documents submitted by the Government of Türkiye in this matter, including, *inter alia*, an affidavit from the Turkish prosecutor, numerous eyewitness statements, other documentary evidence gathered by Turkish investigators.

THEREFORE, pursuant to 18 U.S.C. § 3184 and the above findings, I certify the extradition of the Fugitive, Eylem Tok, to Türkiye, on the charges of Destroying, Concealing or Altering Evidence, in violation of Article 281 of the Criminal Code of Türkiye, and Protecting an Offender, in violation of and punishable by Article 283 of the Criminal Code of Türkiye. I also commit Tok to the custody of the United States Marshal pending further decision on extradition and surrender by the Secretary of State pursuant to 18 U.S.C. § 3186.

I further order that the Clerk of this Court forward a certified copy of this Certification and Committal for Extradition, together with a copy of the evidence presented in this case and any testimony received in this case, to the Secretary of State.

THE HONORABLE DONALD L. CABELL
CHIEF U.S. MAGISTRATE JUDGE

DATED:

Presented by:

Kristen A. Kearney
Assistant U.S. Attorney