

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 01-455-A
)
 ZACARIAS MOUSSAOUI)
 a/k/a "Shaqil,")
 a/k/a "Abu Khalid)
 al Sahrawi,")
)
 Defendant.)

ORDER

For the reasons stated in open court on Thursday, June 13, 2002, the defendant's motions to dismiss court-appointed counsel and proceed pro se (Docket #s 112, 113 and 123) are GRANTED; and it is hereby

ORDERED that Mr. Moussaoui may represent himself in this criminal prosecution.¹ Once substitute stand-by counsel are identified, the defendant's former counsel will be released from all responsibilities in this case. Until such time, they will remain as stand-by counsel and are to be noticed on all communications to and from the Court.

The defendant's pro se filings are currently under seal. The defendant has requested that all of his pro se pleadings be

¹ The defendant's motion requesting a hearing regarding defendant's motion to dismiss court-appointed counsel and proceed pro se (Docket # 125) has been GRANTED by our Order dated June 6, 2002 (Docket #161) as well as the hearing on June 13, 2002.

The defendant's motion to testify at the June 13, 2002 hearing (Docket # 173) has been GRANTED to the extent that Mr. Moussaoui was able to address his motions to dismiss court-appointed counsel and proceed pro se, but DENIED to the extent that the defendant wished to address extraneous issues.

unsealed (Docket #132). Given that the United States has not received copies of defendant's filings since April 30, 2002, it is hereby

ORDERED that copies of all of the defendant's pro se pleadings, including his Reply to the Government's Notice of Intent to Seek a Sentence of Death,² be provided to the United States; and it is further

ORDERED that before any of defendant's pleadings are unsealed, counsel for the United States and stand-by counsel advise the Court by 9:00am on Monday, June 17, 2002 of any objections to the unsealing of the defendant's pleadings and/or any proposed redactions to those pleadings. The Court will then review the objections and/or proposed redactions, if any, to determine whether a pleading should be either unsealed in its entirety, partially, or not at all.

Because the United States has previously received a copy of the defendant's pro se Motion for Change of Venue, it is hereby

ORDERED that the United States respond to this motion by Monday, June 24, 2002; and it is further

ORDERED that our January 2, 2002 and February 25, 2002 Scheduling Orders be and are amended to the extent that any additional pretrial motions by either the defendant, pro se, or the United States be filed by Monday, June 24, 2002. Any

²The adequacy of the United States' Notice of Intent to Seek a Sentence of Death has been fully briefed. Because oral argument will not aid the decisional process, the Court will resolve this issue based on the submissions of the parties.

responses are due by Friday, July 5, 2002. If the Court finds that argument would assist the decisional process, oral arguments of pretrial motions will be held on Thursday, July 11, 2002 at 9:30am.

The Motion and Memorandum to Compel Production of Discovery and the Motion to Suppress Statements filed on June 13, 2002 by the defendant's former counsel have been filed only for administrative purposes. Unless the defendant expressly adopts these motions as his own by Monday, June 24, 2002, the United States need not respond to them and the Court will deem these motions to be withdrawn.

The defendant is advised that he should review the three Notices of Appeal he has filed to determine whether they have become moot. If so, he should notify the Court of Appeals of his desire to withdraw these appeals.

The Clerk is directed to forward copies of this Order to counsel for the United States, the defendant pro se, stand-by counsel, the Court Security Officer, and the United States Marshal.

Entered this 14th day of June, 2002.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia