

FILED

In The Name of ALLAH

MAY - 1 2002

U.S. Court of Appeals  
Fourth Circuit

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In the United States Court of Appeals  
For the 4<sup>th</sup> Circuit

FILED

MAY - 1 2002

U.S. Court of Appeals  
Fourth Circuit

United States of America )

v

Zacarias Moussawi )

Crim No 01-455A

CLERK OF THE COURT  
ALEXANDER M. ...  
-3  
[Signature]

Appeal of the Order filed on the 22 April 2002  
by US District Judge L. Brinkema on the ground  
that it is factually incorrect and that it breaches  
my defendant's right to present a complete  
defense and the US right to an effective  
assistance of a counsel (in my case, stand by).  
Expedited hearing schedule are needed

" And mix not truth with falsehood, nor  
conceal the truth while you know (it) "  
Quran Surat 2 A Baqarah Ayat 42

Slave of ALLAH

Zacarias Moussawi

On the 22 April 2002, the hearing for the Motion for relief from condition of confinement was conducted by US District Judge Leonie Brinkema in the Alexandria courthouse.

As the US District Judge Leonie Brinkema was calling the supposed defendant attorney at the beginning as it is traditionally the case, I objected and dismissed them as being my legitimate lawyers.

Then I was call to address the court and I essentially express how the conditions of confinement along with manipulation of the US judicial system and the vested interest of these appointed lawyers, was denying me the US right to mount an effective defense. Basically I was dealing with the Motion of the day.

It is correct that I was asked what I wanted to remedy to the situation. On this, I affirmed that I will proceed Pro Se and hire my own Muslim lawyer (stand by).

At some point during the hearing, US District Judge Leonie Brinkema requested the written version of my argument, I agreed to provide it and did so immediately at the end of the hearing.

This written version include a passage were I clearly reject the imposition of the so called appointed lawyer.

"But ALLAH is my witness, nobody will ever represent me, In Shaah ALLAH (goodwill) Because suicide is forbidden in Islam"

Moreover, as I indicated to US District Judge Leonie Brinkema, I was reading from a letter that I try to send to her on 27 March 2002 and this she fully acknowledge my attempt in open court and I have a letter from her relating to this matter.

Finally this letter was duly signed by my.

Therefore my presentation was oral and written.

"Oh, you who believe! Stand out firmly for ALLAH as just witness; and let not the enmity and hatred of others make you

you exceed justice. Be just: that is nearer to  
piety: and fear ALLAH. Verily, ALLAH is  
Well Acquainted with what you do. "  
Coran, Surah 5 Al Ma'idah, Ayat 8

## US Legal Argument.

The US Sixth Amendment stated:

"The accused shall enjoy the right to be informed of the nature and the cause of the accusation."

The transcript could unequivocally show that US District Judge Leonie Brinkema did not indicate before my presentation that the nature of the motion of the day has been changed following my intervention, thus it is unreasonable to accept her statement:

"contain in the Order:

"Defendant has made an oral motion to dismiss his court-appointed counsel and be permitted to proceed pro se."

Moreover, a catalogue of grievances, in which I essentially express how the conditions of confinement along with the manipulation of the US judicial system and vested interest of unscrupulous lawyer was denying my ability to mount an effective defense (This argument being entirely in line with the Motion of the day). ~~And~~

Cannot ~~even~~ ~~be~~ ~~presented~~ as a Pro Se Motion.

be

Not even knowing that it will be treated as a new motion and being without any comprehension or preparation, It is unfair to pretend that I made even an oral motion.

US v Fernandez (9<sup>th</sup> Cir 1990), noting:

"The defendant's ~~fundamental~~ fundamental constitutional right to present a complete defense"

And to avoid any ambiguity, Yes, I did ~~understand~~ dismiss these under cover government agents (Nunham, Jew Zerkin, Mc Mahon) and enter a Pro se defense. (even if this Judge is trying her best to deny it).

The Sixth Amendment of US constitution stated:  
"The accused shall enjoy the right to be confronted with witnesses against him to have compulsory process for obtaining witnesses in his favor and to have the assistance of Counsel for his defense."<sup>7</sup>

Indeed I have the need and the intention to call witness to establish that I am the only one who can effectively defend myself.

Moreover, US District Judge Leonie Brinkema to make her opinion in court, did call as witness from Owen Brennan, therefore. The Sixth Amendment order that I can confront him in court. (not to forget the rest of the Death Team).

The US Sixth Amendment stated:  
"the accused shall enjoy the right to have the assistance of counsel for defense"

No need to explain that they did not give me any assistance to ~~represent~~ dismiss these government appointee. Therefore, when a proper Motion relating to Pro Se will be come I ~~must~~ will consult with a Muslim lawyer.

~~Having made~~ waive the US right  
Having clearly and expressly waive the US right to counsel. The US District Judge Leonie Brinkema <sup>stated</sup> many time that I was "very unbeligent". I must access a Muslim lawyer so I can ~~to~~ ascertain the knowledge I ~~have~~ on this case.

US v Singleton (4<sup>th</sup> Cir) (noting that waiver of the right to counsel must be "done" expressly, knowingly and intelligently)

Not to miss that this citation above increase the need for a proper Pro Se Motion

Finally the US Supreme Court stated -

Under the Due Process of the Fourteenth Amendment, criminal prosecution must comport with prevailing notions of fundamental fairness. We have long interpreted this standard of fairness to require that criminal be afforded a meaningful opportunity to present a complete defense.

Defendant Fledge Leonie Beeinkema is beyond no doubt incapable to achieve this standard, I will not speculate on whether or not it is due to some kind of past traumatic mental disorder. (Sept 11) but it is vital (at least for me) that she should be provided with some kind of help, direction, order

The Last Word Belong to ALLAH:

" On the Day when every person will be confronted with ~~his~~ all the good he has done and all the evil he has done, he will wish that there were a great distance between him and his evil. And ALLAH warns you against ~~himself~~ himself, His punishment and ALLAH is full of kindness to His Slaves. "

Slave of ALLAH

Zacarias Mousaoui Ibn Omar  
Mousaoui Ibnu Sahraoui

أبو خالد السحري



Action (and last legal Argument.)

- To dismiss District Judge Leonie Brinkema order
- To order a complete hearing on the Pro Se defense - this hearing should be in line with *Faretta v California*, in which it was explained that the competency required is that which is necessary to execute a waiver of counsel, not that which is necessary to be able to be able to successfully handle the defense of the case: ~~the defendant would prefer~~
  - " to choose self representation ... so that the record will establish that he knows what he is doing and his choice is made with eyes open and his technical legal knowledge as such is not relevant to an assessment of his knowing exercise of the right to defend himself "
- To order that I must be given a meaningful opportunity to hire a Muslim lawyer's standby (fully vetted by FBI, CIA, Secret service etc.).
- (To conform ~~with~~ my Pro Se Defense instead of hearing, to expedite the proceeding, I have very little time now left)

To inform me on how to dismiss District Judge  
Leonie Brummeier

**FILED**  
2002 MAY -1 AM 9:29  
U.S. COURT OF APPEALS  
FOURTH CIRCUIT