

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

Defendant's counsel have requested that the Court provide them with a copy of the defendant's pro se response to the Government's Notice of Intent to Seek a Sentence of Death. In his response, the defendant insisted that his counsel not be provided a copy of that pleading, and the Court has honored that request. Counsel argue that the pleading may help them better understand why their relationship with the defendant has broken down.

Given the current posture of this case, we find that counsel have articulated a reasonable need for access to that pleading. For this reason, it is hereby

ORDERED that a copy of the defendant's pro se response to the Government's Notice of Intent to Seek a Sentence of Death be provided to defense counsel.

It has come to our attention that the defendant has twice refused to meet with Dr. Patterson, the court-appointed psychiatrist, who has been asked to evaluate the defendant's

mental state to assist the Court in determining whether the defendant is mentally competent to waive the assistance of counsel. In our orders of April 22, 2002, April 29, 2002, and May 3, 2002, we made clear that the defendant's often-repeated desire to represent himself would not be addressed until completion of the psychiatric examination. By refusing to meet with Dr. Patterson, the defendant is merely frustrating his own goal of representing himself. Such irrational behavior strongly suggests that the defendant may, in fact, not be competent to waive counsel.

For these reasons, we again advise the defendant that his meeting with Dr. Patterson is necessary before any decision can be made on his pending motion to represent himself. If the defendant continues to refuse to meet with Dr. Patterson, he may be sent to the Federal Correctional Center at Butner, North Carolina, the federal facility specializing in forensic psychiatric evaluations, for a 90 day mental evaluation pursuant to 18 U.S.C. § 4241.

The Clerk is directed to forward copies of this Order to the defendant, pro se, counsel of record, Dr. Patterson, and the Court Security Officer.

Entered this 15<sup>th</sup> day of May, 2002.

/s/

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Leonie M. Brinkema  
United States District Judge

Alexandria, Virginia