

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

OCT 25 2002

UNITED STATES OF AMERICA)
)
 v.)
)
 ZACARIAS MOUSSAOUI,)

UNDER SEAL

Musallal 5/30/03
Criminal No. 01-455-A

GOVERNMENT'S MOTION FOR ADDITIONAL TIME TO REPLY
TO DEFENDANT'S MOTION FOR ACCESS TO IBN AL SHEIKH AL-LIBI

For the reasons set forth below, the United States respectfully requests additional time to reply to defendant's demand for access to Ibn al Sheikh al-Libi.

On October 16, 2002, the defendant demanded access to "Ibn al Sheikh al-Libi." Also on October 16, 2002, the Court ordered the Government to reply to the defendant's request by October 29, 2002.

The question of potential defense access to Ibn al Sheikh al-Libi raises similar concerns to the defense demands for other *al Qaeda* operatives publicly reported to have been recently captured. Accordingly, the United States must review significant potential discovery to discern whether any such *al Qaeda* operative has made statements that may be deemed to be discoverable.¹

As the Court obviously knows, nearly every date in this case has been vacated, and the trial is now scheduled for June 2003. With no immediately impending deadlines, we suggest that there is no immediate need to resolve the question of access to al-Libi.

Therefore, we respectfully request that the United States be given an additional 30 days in

¹ From material we have so far reviewed regarding al-Libi, we are aware of no such material that would be discoverable before the deposition of Faiz Bafana could be taken.

which to respond to the defendant's demand.

Respectfully submitted,

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Certificate of Service

I certify that on the 25th day of October 2002, a copy of the foregoing pleading Government's Response was provided to defendant Zacarias Moussaoui through the U.S. Marshals Service and faxed and mailed to the following::

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