

FILED WITH
COURT SECURITY OFFICER
Meg Russell
DATE 7-18-03

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

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 01-455-A
)
 ZACARIAS MOUSSAQUI) SECRET CLASSIFIED
) FILING/UNDER SEAL

STANDBY COUNSEL'S MOTION FOR STATUS REPORT [REDACTED]

Standby counsel, on behalf of Zacarias Moussaoui, hereby request that the Court require the government to provide a status report [REDACTED]

[REDACTED] In support of this motion, standby counsel state as follows:

1. [REDACTED] the *pro se* defendant filed a motion [REDACTED]

2. [REDACTED] the Court denied the defendant's motion without prejudice but required the government to continue to honor its obligation to produce favorable evidence pursuant to *Brady v. Maryland*. See Order by U.S. District Judge Leonie M. Brinkema [REDACTED] To the extent that any statements [REDACTED] constitute *Brady* material, they must be promptly produced to the defense in compliance with the Government's continuing obligation to produce exculpatory evidence in its possession [REDACTED]

3. Standby counsel have read news articles that refer to exculpatory statements

4. Standby counsel note that the summaries

indicate

It was not until January 21, 2003, that standby counsel received those summaries and only after the Court ordered that they be produced in compliance with *Brady*. See Order by U.S. District Judge Leonie M. Brinkema at 2 (filed Jan. 15, 2003) (ordering production of the *Brady* material in the summaries); see *also* Protective Order Under CIPA Section 4 by U.S. District Judge Leonie M. Brinkema at 2 (filed Jan. 21, 2003) (finding that some of the information in the summaries is *Brady* material).¹

Accordingly, standby counsel request that the Court require the government to provide a status report By that process,

standby counsel will be assured that the government is "promptly" honoring its *Brady* obligations [REDACTED]

ZACARIAS MOUSSAOUI

By Standby Counsel

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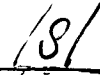
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Standby Counsel's Motion for Status Report [REDACTED] was served upon AUSA Robert A. Spencer, AUSA David Novak and AUSA Kenneth Karas, U.S. Attorney's Office, 2100 Jamieson Avenue, Alexandria, VA 22314, by hand-delivering a copy of same to the Court Security Officer on this 18th day of April 2003.²



Kenneth P. Troccoli

² Pursuant to the Court's Order of October 3, 2002, on April 18, 2003, a copy of this pleading was provided to the Court Security Officer ("CSO") for submission to a designated classification specialist who will "portion-mark" the pleading and return a redacted version of it, if any, to standby counsel. A copy of this pleading, in redacted form or otherwise, will not be provided to Mr. Moussaoui until standby counsel receive confirmation from the CSO and/or classification specialist that they may do so.

Pages 5 to 7 Redacted