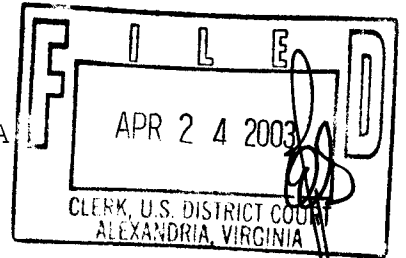


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



UNITED STATES OF AMERICA)
)
 v.)
)
 ZACARIAS MOUSSAOUI)
 a/k/a "Shaqil,")
 a/k/a "Abu Khalid)
 al Sahrawi,")
)
 Defendant.)

Criminal No. 01-455-A

ORDER

The Court has reviewed the Government's Submission of Proposed Substitutions ("Proposed Substitutions"), which have been classified as Top Secret/Codeword, and have not been forwarded to the pro se defendant for his review at this time. Instead, the Government proposes that it "will permit the defendant to review the final substitutions as a limited authorized disclosure of classified material so that the pro se defendant can prepare for trial."

This proposal is unacceptable for at least two reasons. First, it violates the remand of the United States Court of Appeals for the Fourth Circuit, which explicitly directed that both "the defendant and standby counsel are to be given an opportunity to respond to any proposed substitutions." Second, because only Mr. Moussaoui can advise the Court and/or his standby counsel what, if any, exculpatory material is missing from the Proposed Substitutions, a meaningful evaluation of the adequacy of the Government's submission is impossible without

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input from the defendant. Accordingly, it is hereby

ORDERED that the Government forthwith forward a copy of its Proposed Substitutions to the pro se defendant under the procedure established for the defendant's review of the Court's Order of January 31, 2003.

The Clerk is directed to forward a copy of this Order to the defendant, pro se; counsel for the United States; standby defense counsel; and the Court Security Officer.

Entered this 24th day of April, 2003.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia