

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

The pro se defendant has filed several pleadings concerning the Government's interception of his written communications with Richard Reid (Docket #s 980, 995 and 1013). Specifically, the defendant disputes an apparent determination by the Federal Bureau of Investigation (FBI) that a recent letter from Mr. Moussaoui to Mr. Reid may contain embedded or "coded" messages, and requests a copy of the report supporting the FBI's finding.¹

The Special Administrative Measures (SAMs) governing the conditions of the defendant's confinement authorize the United States Marshals Service and the FBI to seize any incoming or outgoing mail if it is determined "to contain overt or covert discussions of or requests for illegal activities, the soliciting or encouraging of acts of violence or terrorism, or actual or attempted circumvention" of the SAMs. SAM(4)(c)(iv). The SAMs

¹ The defendant further argues that, as his own counsel, he is entitled to "privileged" communications with Mr. Reid. However, Mr. Moussaoui is well aware that his pro se status does not alter the SAM's provision that he is only entitled to have unmonitored communications with his standby counsel.

further provide that the defendant shall be advised in writing of the seizure of any mail.

To the extent that law enforcement officials have made determinations regarding the propriety of disseminating certain correspondence between the defendant and Richard Reid, the Court will not question those judgments. Because the Government has complied with the SAMs by advising the defendant that a particular communication will not be forwarded to its intended recipient and the reason for the seizure, his motions (Docket #s 980, 995 and 1013) are DENIED.

The Clerk is directed to forward copies of this Order to the defendant, pro se; counsel for the United States; standby defense counsel; and the United States Marshal.

Entered this 8th day of August, 2003.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia