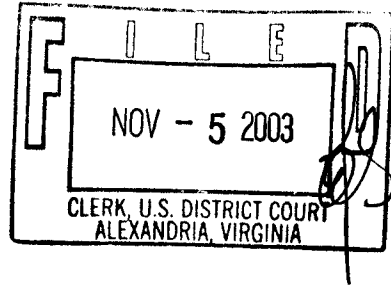


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

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 pro se defendant's motion docketed as #1086 repeats an earlier request for a copy of the Government's proposed substitutions for certain testimony. (See Docket #1051.) That request has previously been denied. (Docket #1052.) Standby counsel have filed a memorandum in support of the defendant's request, arguing that the basis for the previous denial has changed in light of the Government making the adequacy of substitutions an issue in the pending interlocutory appeal.

We do not find that the inclusion of that issue in the appeal justifies revisiting our earlier ruling. Mr. Moussaoui previously received access to other substitutions because the Fourth Circuit had directed that to happen. No such direction has been communicated to the Court as to this current set of substitutions. Moreover, given the classified nature of these substitutions and the increasingly erratic behavior of the defendant as demonstrated by the quantity and quality of the writings he has been sending to

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the Court, defendant's access to these substitutions will not be granted. For all these reasons, it is hereby

ORDERED that defendant's motion docketed as #1086 be and is DENIED.

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

Entered this 5th day of November, 2003.

/S/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia

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