

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

UNITED STATES OF AMERICA)
)
 v.) 1:01cr455 (LMB)
)
 ZACARIAS MOUSSAOUI)
 a/k/a "Shaqil,")
 a/k/a "Abu Khalid)
 al Sahrawi,")
)
 Defendant.)

ORDER

Two business days after he was sentenced to life imprisonment without the possibility for release, the defendant, through his counsel, has filed a Motion to Withdraw Guilty Plea ("Motion to Withdraw") (Docket #1857), in which he alleges that his guilty pleas to all charges in the six count second superceding indictment are invalid because he lied as to the factual basis for his pleas. Specifically, Moussaoui now claims he "did not have any knowledge of and was not a member of the plot to hijack planes and crash them into buildings on September 11." He wants to withdraw his guilty pleas and go to trial to prove his "innocence of the September 11 plot."

Defendant's Motion to Withdraw must be summarily denied on the basis of Fed. R. Crim. P. 11(e) which provides that "[a]fter the court imposes sentence, the defendant may not withdraw a plea of guilty or nolo contendere, and the plea may be set aside only on direct appeal or collateral attack." Because defendant was sentenced on May 4, 2006, his motion is too late and must be

denied on this basis alone. Accordingly, it is hereby

ORDERED that defendant's Motion to Withdraw Guilty Plea be and is DENIED.

To appeal this decision, defendant must file a written notice of appeal within ten (10) days of receipt of this Order.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this 8th day of May, 2006.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia