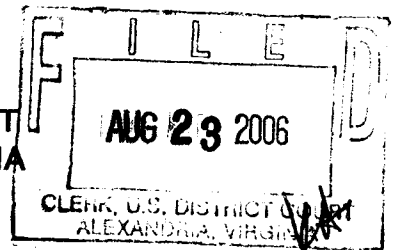


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



UNITED STATES OF AMERICA,)
)
v.)
)
ZACARIAS MOUSSAOUI,)
)
Defendant.)

Criminal No. 01-455-A

SEALING ORDER

This matter having come before the Court on the Defendant's Motion to Seal pursuant to Local Criminal Rule 49(E) and for good cause shown, the Court finds:

1. The defendant seeks to have trial exhibits XA001 and XA002 placed under seal.
2. Sealing of these exhibits is necessary in order to protect the identity of the persons in the videotape and accompanying document.
3. The Court has considered procedures other than sealing, but none would suffice to protect the information subject to sealing.
4. The Court has the inherent power to seal materials submitted to it. See *United States v. Wuagneux*, 683 F.2d 1343, 1351 (11th Cir. 1982); *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir. 1982); *Times Mirror Company v. United States*, 873 F.2d 1210 (9th Cir. 1989); see also *Shea v. Gabriel*, 520 F.2d 879 (1st Cir. 1975); *United States v. Hubbard*, 650 F.2d 293 (D.C. Cir. 1980); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975). "The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public's right of access is outweighed by competing interests." *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984).

5. The defendant requests that the pertinent material remain under seal. The defendant will file a motion to unseal these materials should circumstances change and permit unsealing.

For the foregoing reasons it is hereby:

ORDERED that the defendant's Motion to Seal is granted, and it is further

ORDERED that defendant's exhibits XA001 and XA002 will remain under seal.

The defendant will file a motion to unseal the document should circumstances change and permit unsealing.

ENTERED this 23rd day of August, 2006.

/s/

Leonie M. Brinkema
United States District Judge