

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 defendant, pro se, has filed six pleadings (Docket #s 611, 613, 615, 618, 619 and 624), which were initially filed under seal pursuant to our Order of September 27, 2002. The United States has since requested that certain of these pleadings remain under seal in their entirety and has proposed redactions to others. In his Motion to Fight for My 1st [sic] Right and Duty to Worship My Creator, Allah (Docket #642), Mr. Moussaoui has expressed his objections to the Government's proposed redactions.

We agree with the United States that pleading #s 611 and 615 must remain under seal in their entirety because the former concerns the status of a material witness, and the latter is subject to our Order of October 3, 2002. Further, we find that the proposed redactions to pleading #s 618, 619 and 624 strike the proper balance between the public's right to access records in criminal cases and the United States' legitimate concerns about the defendant's ability to use his pleadings

inappropriately to communicate with the outside world.

Accordingly, the defendant's Motion to Fight for My 1st [sic] Right and Duty to Worship My Creator, Allah (Docket #642) is DENIED; and it is hereby

ORDERED that the defendant's pro se pleadings docketed as #s 611 and 615 remain under total seal until further order of the Court; and it is further

ORDERED that the defendant's pro se pleadings docketed as #s 618, 619 and 624 be and are unsealed with the United States' proposed redactions.

We do not find, however, the United States' request to maintain pleading #613 under total seal to be consistent with, or mandated by, our previous orders. Therefore, it is hereby

ORDERED that the United States forthwith provide the Court with an additional explanation for its request to maintain all of pleading #613 under seal.

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 Court Security Officer.

Entered this 29th day of October, 2002.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia