

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

UNITED STATES,)
)
)
 Appellee,)
 vs.)
)
 ZACARIAS MOUSSAOUI)
)
 Appellant.)

**MATERIAL
REDACTED**

No. 06-4494
Crim No. 01-455-A

FILED
APR 08 2008
US Court of Appeals
4th Circuit

Filed: April 7, 2008

EX PARTE NOTICE

Pursuant to _____ undersigned counsel respectfully
notify the Court of the following circumstances.

By way of background, this Court

Beginning on October 25, 2007, the Government made a number of
disclosures to this Court and to undersigned counsel in classified letters and
sealed filings.

Following briefing on these disclosures, this Court denied

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Mr. Moussaoui's motion to remand this case temporarily to the district court for factual findings and legal conclusions.

On January 17, 2008, undersigned counsel filed the Opening Brief in this appeal, including arguments based on the recent disclosures, for a ruling on the merits.

On February 5, 2008, undersigned counsel filed Appellant's Contested Motion For Partial Relief From The Protective Order To Permit Zacarias Moussaoui To Have Unrestricted Access To Advice Of Counsel, which the court later denied after full briefing.¹ The Court Security Officer did not release an unclassified version of the Opening Brief until February 15, 2008.

¹ This Court denied that motion on March 4, 2008.

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of April, 2008, I filed with the Clerk's Office of the United States Court of Appeals for the Fourth Circuit, via hand delivery, the required copies of the foregoing **Redacted Ex Parte Notice** and further certify that I served the required copies of the same via first class mail, postage paid, this same date from Richmond, Virginia to counsel listed below.


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