

JAN 18 2006

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

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 01-455-A
)	Hon. Leonie M. Brinkema
ZACARIAS MOUSSAOUI)	

**DEFENDANT'S FOURTH SUPPLEMENTAL STATUS REPORT
ON HIS CIPA SECTION FIVE DESIGNATIONS**

Defendant, Zacarias Moussaoui ("Moussaoui"), through counsel, and pursuant to the Court's instructions from the CIPA hearing held on January 5, 2006, herewith files this Fourth Supplemental Status Report on his CIPA Section Five Designations.

I. Overview

During the CIPA hearing held on January 5, 2006, the Court instructed the defense to re-review its designations with respect to two categories of documents, provide greater specificity of the information within those documents that the defense may reasonably seek to disclose, and eliminate those documents that may be considered cumulative. These two categories, the Court instructed, should be re-reviewed within a week; all other documents were to be re-reviewed on a rolling basis thereafter.

As instructed, last week, Defendant provided the Court and the Government with his re-review of the initial two categories of documents, as well as documents falling

[REDACTED]

1462

[REDACTED]
within a third category [REDACTED]

See Defendant's Third

Supplemental Status Report on his CIPA Section Five Designations (filed Jan. 12, 2006, dkt. no. 1450). The instant pleading addresses two other categories of CIPA designated documents: [REDACTED]

ii. [REDACTED]

Documents falling within this category [REDACTED]

[REDACTED] Approximately 106 designations fall into this category, approximately 103 of which remained active as of the January 5 hearing. Since that hearing, the defense has re-reviewed these designations and is herewith withdrawing an additional 43 designations because they are cumulative or not needed.

[REDACTED]

Appended hereto, is a classified notebook of all of the remaining 60 designated documents that remain active in this category, organized chronologically so that the Court can see the interrelationship between all of the documents. The CIPA number is written in the top right corner of each document. Also, at the front of the notebook is a Sub-Chart showing the status of all of Moussaoui's § 5 designations, organized by CIPA number, for every document falling within this category.⁴ That chart also identifies the specific information that the defense reasonably expects to disclose under CIPA § 5. Additional documents within this category may be withdrawn as the Government provides the defense with additional declassified versions.

III.

[REDACTED]

This category consists

[REDACTED]

Approximately 69

designations fall into this category,⁶ approximately 66 of which remained active as of

⁴ This sub-chart is drawn, in large part, from Defendant's Chart of the Status of his CIPA § 5 Designations which was appended to Defendant's First Supplemental Status Report on his CIPA Section Five Designations (filed Dec. 16, 2005, dkt. no. 1423).

[REDACTED]

(continued...)

[REDACTED]

[REDACTED]

the January 5 hearing. Since then, the defense has re-reviewed these designations and are herewith withdrawing an additional 19 designations either because they are cumulative/not needed, or because a declassified version of the document has been produced that is acceptable.

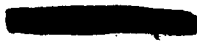
Appended hereto, is a classified notebook of all of the remaining 47 designated documents that remain active in this category, organized chronologically so that the Court can see the interrelationship between all of the documents. The CIPA number is written in the top right corner of each document. Also, at the front of the notebook is a Sub-Chart showing the status of all of Moussaoui's § 5 designations, organized by CIPA number, for every document falling within this category. That chart also identifies the specific information that the defense reasonably expects to disclose under CIPA § 5. Additional documents within this category may be withdrawn as the Government provides the defense with additional declassified versions.

Conclusion

The defense believes that the above information will significantly advance the CIPA process in this case. The defense is prepared, at the Court's convenience, for additional CIPA proceedings with respect to the above documents. In addition, over the

[REDACTED]

[REDACTED]



course of the next week, the defense will provide similar information for all of the remaining designated documents.

Respectfully Submitted,
Zacarias Moussaoui

By Counsel

/s/

/s/


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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of January 2006, a true copy of the foregoing pleading was served upon AUSA Robert A. Spencer, AUSA David J. Novak and AUSA David Raskin, U.S. Attorney's Office, 2100 Jamieson Avenue, Alexandria, VA 22314, by hand-delivering a copy of same to the Court Security Officer.⁸

/s/

Kenneth P. Troccoli

⁸ Pursuant to the Court's Order of October 3, 2002 (dkt. no. 594), on the date that the instant pleading was filed, a copy of the pleading was provided to the Court Security Officer ("CSO") for submission to a designated classification specialist who will "portion-mark" the pleading and return a redacted version of it, if any, to defense counsel. A copy of this pleading, in redacted form or otherwise, will not be provided to Moussaoui until counsel receive confirmation from the CSO and/or classification specialist that they may do so.