

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

For the reasons stated on the record, and in compliance with the decision of the Fourth Circuit In Re: Associated Press, No. 06-1301, (4th Cir. Mar. 22, 2006), it is hereby

ORDERED that starting with the afternoon session of March 22, 2006, trial counsel must arrange for the public availability of all documentary exhibits¹ that have been admitted into evidence and published in their entirety to the jury. Such exhibits must be available no later than 10:00 a.m. on the business day immediately following the day the exhibit was fully published to the jury.

Because numerous exhibits have been admitted into evidence during the first six and a half days of trial, and many of those exhibits were only published in part or not published at all, counsel are allowed five (5) business days in which to review the admitted exhibits, determine which should be made available, and

¹ Excepted from this Order are all classified exhibits published to the jury under the silent witness rule.

arrange for their availability through the court's public information officer.

Moreover, in light of the government having rested, the Court finds no reason to maintain the transcript of the voir dire of the substituted aviation witness under seal. Accordingly, it is hereby

ORDERED that the transcript of the sealed hearing held Monday, March 20, 2006, from 9:00 a.m. to 10:00 a.m., will be unsealed by noon Monday, March 27, 2006, unless counsel advise the Court of any opposition to unsealing the transcript.

Lastly, based in the request of Carla Martin's counsel to quash the subpoena commanding her appearance at this court on Monday, March 27, 2006, the request is GRANTED, and it is hereby

ORDERED that the subpoena for Carla Martin is QUASHED and the hearing scheduled for 9:00 a.m., Monday, March 27, 2006 is cancelled. The sentencing proceeding will go forward at 9:30 a.m. on March 27, 2006, as previously scheduled.

The Clerk is directed to forward copies of this Order to counsel of record, and Roscoe C. Howard, Jr., counsel for Carla Martin.

Entered this 24th day of March, 2006.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia