

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA

v.

Case No. 8:03-cr-77-T-30TBM

**SAMI AMIN AL-ARIAN
SAMEEH HAMMOUDEH
GHASSAN ZAYED BALLUT
HATIM NAJI FARIZ**

ORDER

This cause came on for consideration without oral argument upon:

1. The United States's Motion to Strike, or in the Alternative, Opposition to Defendant Hammoudeh's Memorandum in Support of Appeal of Magistrate Order (Dkt. #342);
2. Defendant Al-Arian's Motion for Leave to Respond (Dkt. #423);
3. Defendant Fariz's Amended Motion for Bill of Particulars (Dkt. #446);
4. Defendant Fariz's Motion for Leave to File Motions for Reconsideration on or before 4/12/04 (Dkt. #496);
5. Defendant Ballut's Motion for Hearing (Dkt. #498);
6. Defendant Ballut's Motion for Amendment of Order Concerning Applicability of Statute of Limitations to Count 19 (Dkt. #500);
7. The United States's Motion for Oral Argument on Motion for Reconsideration (Dkt. #546); and

8. The United States's Motion to Extend Time to Respond (Dkt. #565).

This Order is not intended to be a substantive order. Instead, it is designed to clean up the docket in this case of motions that are either now moot or that were (or should have been) terminated, but for whatever reason have not been terminated by the clerk. The one exception is Defendant Ballut's Motion for Amendment. Until Defendants are convicted, if they are convicted, (and even after they are convicted in some limited circumstances) this Court can reverse a pretrial determination. See, e.g., Fed. R. Crim. Proc. 33. If evidence comes to light that the government's proffer on the application of Section 3292 to this case is not accurate, then this Court will reconsider its ruling.

It is therefore **ORDERED AND ADJUDGED** that:

1. The United States's Motion to Strike, or in the Alternative, Opposition to Defendant Hammoudeh's Memorandum in Support of Appeal of Magistrate Order (Dkt. #342) is **DENIED as moot**.

2. Defendant Al-Arian's Motion for Leave to Respond (Dkt. #423) is **DENIED as moot**.

3. Defendant Fariz's Amended Motion for Bill of Particulars (Dkt. #446) is **DENIED as moot**.

4. Defendant Fariz's Motion for Leave to File Motions for Reconsideration on or before 4/12/04 (Dkt. #496) is **DENIED as moot**.

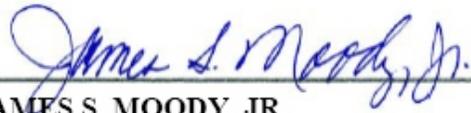
5. Defendant Ballut's Motion for Hearing (Dkt. #498) is **DENIED as moot**.

6. Defendant Ballut's Motion for Amendment of Order Concerning Applicability of Statute of Limitations to Count 19 (Dkt. #500) is **DENIED**.

7. The United States's Motion for Oral Argument on Motion for reconsideration (Dkt. #546) is **DENIED as moot**.

8. The United States's Motion to Extend Time to Respond (Dkt. #565) is **DENIED as moot**.

DONE and ORDERED in Tampa, Florida on August 4, 2004.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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