

**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, *et al.*

ORDER

This cause came on for consideration without oral argument upon Defendant Al-Arian's Notice of Objection to Magistrate's Order (Dkt. # 629). The Magistrate's Order for Discovery (Dkt. # 605), entered on August 18, 2004, sets forth periodic deadlines for the Government's production of English language translations of communications the Government intends to offer into evidence during its case-in-chief. The Magistrate's Order for Discovery directs the Government to provide such translations in installments of at least one-hundred (100) transcripts by October 1, 2004, November 1, 2004, and December 1, 2004. It also sets forth a December 31, 2004, deadline for the Defendants' production of any alternative translations they wish to offer in rebuttal to the Government's translations, as well as any other English-language translations the Defendants may seek to introduce in their case-in-chief. The case is scheduled for trial on January 5, 2005.

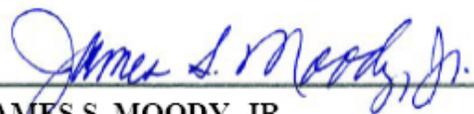
Defendant Al-Arian objects to the provision of the Magistrate's Order requiring the Defendants to provide their own English-language translations to the Government before trial. Defendant Al-Arian, in noting that the Government indicated that a superceding

indictment would be forthcoming, also asks that he not be required to produce any transcripts before such an indictment has been filed.

After careful consideration, this Court finds that the Magistrate's Order requiring both the Defendants and the Government to produce pretrial their English-language translations was appropriate. Therefore, Defendant's objection to the pretrial discovery provision should be DENIED. Additionally, this Court notes that the Government has filed a superceding Indictment (Dkt. # 636) since the Defendant filed his Motion. Defendant's request for relief until a superceding indictment is filed, therefore, should be DENIED as moot.

It is therefore ORDERED AND ADJUDGED that Defendant Al-Arian's Notice of Objection to Magistrate's Order (Dkt. # 629) is **DENIED**.

DONE and **ORDERED** in Tampa, Florida on September 29, 2004.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record