

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

UNITED STATES OF AMERICA

v.

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

HATEM NAJI FARIZ
_____ /

MOTION TO AMEND JUROR QUESTIONNAIRE
BASED ON SUPERSEDING INDICTMENT

Defendant, Hatem Naji Fariz, by and through the undersigned counsel, respectfully requests that this Honorable Court amend the Juror Questionnaire (Doc. 562, Exh. A) based on the Superseding Indictment. As grounds in support Mr. Fariz states:

1. On September 21, 2004, the grand jury returned a Superseding Indictment (Doc. 636) amending the allegations against Mr. Fariz and his co-defendants, and adding a new co-defendant and alleged co-conspirator, Mazen Al-Najjar.

2. Mr. Fariz does not waive and hereby reasserts all previous questions, arguments, and objections to the proposed juror questionnaire.

3. In light of the new allegations, Mr. Fariz respectfully requests that the following questions be amended or added to the juror questionnaire:

(a) Question 40 or 41

Mazen Al-Najjar should be added to Question 40 (if he will be present at trial) or to Question 41 (if he will not be present at trial).

Mr. Fariz would additionally note that his name is misspelled in Question 40. It should read "Hatem Naji Fariz."

(b) Question 42

Mazen Al-Najjar should be added by name to Question 42.

(c) Additional question following Question 43

Have you seen, read or heard anything concerning Mazen Al-Najjar's immigration case? If so, what were your reactions or impressions based on what you read or heard?

(d) Additional question followings Question 54

Have you read or heard media accounts or other reports regarding Dr. Al Najjar's involvement with USF?

WHEREFORE Mr. Fariz submits the foregoing amended questions to the Juror Questionnaire (Doc.562, Exh.A).

Respectfully submitted,

R. FLETCHER PEACOCK
FEDERAL PUBLIC DEFENDER

/s/ M. Allison Guagliardo
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of October, 2004, a true and correct copy of the foregoing has been furnished by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Cherie L. Krigsman, Trial Attorney, U.S. Department of Justice; William Moffitt and Linda Moreno, counsel for Sami Amin Al-Arian; Bruce Howie, counsel for Ghassan Ballut; and to Stephen N. Bernstein, counsel for Sameeh Hammoudeh.

/s/ M.Allison Guagliardo
M. Allison Guagliardo
Assistant Federal Public Defender