

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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JUL 10 2003
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

UNITED STATES OF AMERICA

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CASE NO: 8:03-CR-T-77-30 TBM

VS

SAMI AMIN AL-ARIAN, ET AL

**NOTICE OF OBJECTION TO GOVERNMENT'S
INTENT TO USE FISA EVIDENCE PURSUANT
TO TITLE 50 UNITED STATES CODE, SECTIONS 1801, ET SEQ.**

Defendant, Sami Amin Al-Arian, through his attorney, hereby objects to the intent of the United States of America to use information at Defendant's pre-trial detention hearing obtained or derived from electronic surveillance conducted pursuant to the authority of the Foreign Intelligence Surveillance Act (FISA).

Defendant, Al-Arian, objects to the use of this evidence at the Defendant's pre-trial detention hearing as it is in violation of the United States Constitution, including but not limited to the Due Process Clause and the Fourth, Fifth and Sixth Amendments. Pursuant to 50 USC § 1806, the Defendant may file a motion to suppress evidence prior to the trial, hearing, or other proceeding in which the FISA evidence is to be used. However, this Defendant has not had the benefit of any discovery to date and therefore cannot effectively make a motion to suppress at this time. However, Defendant Al-Arian reserves all rights to challenge such evidence in a motion to suppress during the pre-trial pendency of this matter after all said evidence has been provided to the defendant pursuant to all applicable discovery rules, statutes and court orders.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by facsimile and U.S. Mail on this 17th day of March, 2003, to the following:

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