

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

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03 MAY 20 AM 11:25

UNITED STATES OF AMERICA

CASE NO: 8:03-CF-77-T-30FBM

v.

SAMI AL-ARIAN

FILED  
03 MAY 23 PM 4:13  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA, FLORIDA

**IN-CAMERA MOTION FOR VIEW BY THE COURT**

COMES NOW the Defendant, SAMI AL-ARIAN, by and through the undersigned counsel, and moves this Honorable Court to view the site of his Pre-trial detention, and as grounds therefore would state:

1. The Defendant, a Pre-trial detainee, is being confined at F.C.C. Coleman in the Special Housing Unit or S.H.U. This unit is populated by convicts. The only other Pre-trial detainees the Defendant has been able to identify have been his Co-Defendants;
2. The Defendant is confined under circumstances which defy description and must actually be seen to be appreciated. He is sharing a small cell which he is allowed to leave for one (1) hour four (4) times a week. This right to four (4) hours of exercise per weeks is given only on weeks when every other prisoner is exercised first;
3. The "rights" as outlined in the Coleman handbook frequently don't apply to the Defendant because he is in the Special Housing Unit;
4. The Defendant, by way of example, is strip searched before and after non contact visits. This is presumably because he is a resident of S.H.U. Non contact visits are so-called because there is no contact between the visitor and the Defendant. Nonetheless, he is strip searched before and after each such visit;
5. "Exercise" is accomplished in a cage, alone without any sports equipment of any kind. Exercise consists of whatever exercise an inmate can get from a slightly larger cell than the one he occupies the other twenty-three (23) hours of the day;

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6. The Defendant's access to his lawyers is **limited** by Coleman's geographical location as well as its internal regulations;

7. The Defendant's lawyers' access to him is **limited** by both the geography of the institution as well as its internal regulations;

8. The institutional regulations forbid recording **equipment**. This is a case based in large part upon recordings of conversations in the Arabic language;

9. The court's understanding of the effect of **this** institution's policies and procedures upon the Defendant and the preparation of his **case** will be enhanced by a visit. That visit would be particularly enlightening if the court **made** such visit without prior announcement;

**WHEREFORE**, the Defendant moves this Honorable Court to visit the site of his confinement and to view for itself the conditions of his **confinement** in order to decide whether his confinement comports with the Defendant's Sixth Amendment Rights.

Dated: 4/29/03

  
James C. Brown, Esquire

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that the original of the foregoing has been furnished to the Clerk of Court, Middle District of Florida, located at the Sam Gibbons U.S. Courthouse, 801 N. Florida Ave., Suite 223, Tampa, FL 33602-4500



**JEFFREY BROWN, ESQUIRE**  
777 Almerian Road  
Palm Harbor, FL 34683  
(727) 786-8686, (727) 772-9833  
FBN 832431