

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

FILED
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UNITED STATES OF AMERICA

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

v.

SAMI AL-ARIAN
_____ /

EMERGENCY MOTION TO TRANSPORT DEFENDANT FOR HEARING

COMES NOW the Defendant, SAMI AL-ARIAN, by and through the undersigned counsel, and moves this Honorable Court for an Order requiring the U.S. Marshall to transport the Defendant to Hillsborough County for the June 5, 2003 Status Conference, and as grounds therefore would state:

1. The Defendant has been confined at Coleman U.S.P., a maximum security facility. At this time he has not waived speedy trial;
2. The Defendant is desirous of attending the Status Conference to gain firsthand knowledge of the parties' position on the issue of speedy trial and is considering whether to represent himself in the above styled cause;
3. The Defendant was represented by other counsel earlier in these proceedings and because of this he possesses knowledge relating to speedy trial issues that counsel does not possess. His presence would be a valuable aid to counsel in any decision of the speedy trial issue;

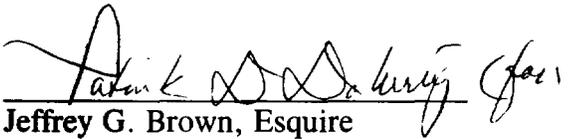
WHEREFORE, the Defendant moves this Honorable Court for an Order requiring the transportation of the Defendant so that he could attend the Status Conference on June 5, 2003 and aid his counsel in his own defense.

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MEMORANDUM OF LAW

Although the Defendant does not have an absolute right to be present at every hearing or conference with the trial judge at which a matter relevant to the case is discussed, U.S. vs. Pepe, 747 Fed 2nd 632 (11th Cir 1984), the court may, within its sound discretion order the Defendant's appearance when the demands of justice require.

Dated: 6/3/03


Jeffrey G. 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, and that a true and correct copy has been furnished to the following interested persons:

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