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U.S. COURT  
OF APPEALS  
FOR THE  
MIDDLE DISTRICT OF FLORIDA

United States of America  
Middle District of Florida  
Tampa Division

United States of America

vs.

Sami Amin Al-Arian, et al.

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

Defendant Sami Amin Al-Arian's Pro Se  
Motion to Request the Help of the Court  
in Providing a Mechanical Pencil and a Calculator

Comes now the defendant, Sami Amin Al-Arian, in Pro Se, and moves this Honorable Court to grant the defendant the ability to have a mechanical pencil and a calculator for the following reasons:

- 1) The defendant has been denied regular writing tools such as pens, or pencils and erasers.
- 2) Coleman rules provide only 2 short pencils (without any erasers or a sharpener) per week, which are grossly inadequate.
- 3) The Honorable Court has been made aware of this problem since at least early May. Judge McCoun has said that he would take care of it during the hearing of May 29, 2003.

215

- 4) Although occasionally pencils have been delivered, this practice has not been regular or sustained.
- 5) When pencils are no longer usable, the defendant's work is interrupted which imposes great hardship for the preparation of his defense.
- 6) The defendant has a pending motion which addresses several requests including this issue since July 25, 2003.
- 7) Since the defendant's return to Coleman on July 26, 2003, he has been provided with only 4 pencils (in 15 days.)
- 8) The defendant has made at least 12 separate requests to: Associate Warden Potts, Unit Manager Santos, Counselors Boss and Warren, Lt. Bengford, Lt. Clickner, and at least to 6 guards. None of these requests were granted despite numerous promises. The defendant also raised this issue before Judge Moody on August 6, 2003.
- 9) The defendant has to rely on the kindness of inmates or the use of razors given twice a week to sharpen the pencils available in his cell, which needless to say imposes unneeded burden on him.
- 10) After the August 6, 2003 hearing, the defendant talked to Associate Warden Potts in an attempt to work out a solution to this continuing problem.

He also asked how he could have access to a copy machine instead of copying every motion submitted to the court 6 times by hand. He was immediately interrupted and told nothing will be granted to him unless ordered by the judge.

- 11) Hence, the defendant asks that the Court grants the defendant (at his expense) a mechanical pencil (similar to the mechanical pencils available in the Orient Jail's canteen in Hillsborough County). And to allow the defendant the ability to bring the pencil when he is moved to Tampa. The order shall also allow the defendant to receive refills (again like Orient) at his own expense.
- 12) The defendant further requests that the Court grants him an electronic calculator with basic functions (at his own expense), since there are hundreds of financial records, and without the ability to calculate, the hardship on the defendant would be enormous. The defendant also requests that the Court allows the defendant to take the calculator with him on the days that he is brought to Tampa.
- 13) The defendant further requests that the Court allows the defendant to have his prayer rug and Holy Book when he is brought to Tampa.

Wherefore, the defendant prays that the Court will grant these reasonable requests.

Respectfully Submitted

Sami A. Al-Arian

Sami A. Al-Arian

Date: August 10, 2003  
Coleman Federal Prison

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing 2 motions have been furnished by US Mail to the office of the United States Attorney, Terry Furr, Assistant US Attorney, 400 N. Tampa St., Suite 3200, Tampa, FL 33602; Donald Horrox, Assistant Public Defender, 400 N. Tampa St., Suite 2700, Tampa, FL 33602; Daniel Hernandez, Esq., 902 N. Armenia Ave., Tampa, FL 33609; and Bruce Howie, Esq., 5720 Central Ave., St. Petersburg, FL 33707, this 10<sup>th</sup> day of August, 2003.

Sami A. Al-Arian  
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