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United States District Court 03 SEP 23 PM 3:11
Middle District of Florida DOCKET NUMBER
TAMPA, FLORIDA
Tampa Division

United States of America

v.

Sami Amin Al-Arian, et al.

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

Defendant Sami Amin Al-Arian's Pro Se Motion
for Reconsideration of Motion to Facilitate
Legal Defence Functions to Insure Effective
Self-Representation as a Pre-Trial Detainee

Comes now the defendant Sami Amin Al-Arian in pro se and moves this Honorable Court to reconsider the motion to facilitate legal defense functions to insure effective self-representation as a pre-trial detainee for the following reasons:

- 1) The defendant has submitted a motion dated July 25, 2003 (Doc. 184) which consisted of 15 separate requests to facilitate legal defense functions
- 2) The government has submitted a motion to deny all requests dated August 12, 2003 (Doc. 217.)
- 3) The defendant responded to the government's motion to deny accompanied with a memorandum of law and also asked for an oral argument

dated on August 25, 2003. The Court received the motion on August 26, 2003.

- 4) The Court held a hearing on the matter on August 27, 2003 but the defendant was not allowed to argue his case.
- 5) The Court granted in part and denied in part the defendant's requests.
- 6) The court granted the following:
 - a) To stop the opening of the defendant's legal mail outside his presence.
 - b) Full access to the main law library.
 - c) The partial purchase of supplies such as paper, pens, folders and envelopes.
 - d) To give the defendant 6 copies of his pleadings within 24 hrs of submission.
 - e) Providing access to discoverable documentary evidence on a "regular basis" (without specifying what "regular basis" means.)
 - f) The use of court-appointed para-legal.

- 7) While the defendant is appreciative of the Court's help in this regard, the order falls short of some important functions which are essential for any adequate, meaningful and effective defense.
- 8) The defendant respectfully asks the Court to reconsider the defendant's motion of August 25, 2003, and its accompanying memorandum in law. In particular, the defendant requests the Court to hold an oral argument and rule on the following items:
- a) adding word-processing software to the Lap-Top computer that will be provided to the defendant. (motion items: 16-19, memorandum of law, pp. 10-11).
 - b) access to the internet for legal and factual research (motion items: 20-23.)
 - c) access to other supplies and stationaries such as plastic paper clips. (motion items: 24-28, mem. of law, pp. 12 -13.)
 - d) following the policy on receiving books (motion items: 29 , mean. of law, pp. 13-)
 - e) visits with legal advisors. (motion items: 30-34,

mem. of law pp. 13-15.) [Currently there is a separate motion to address the issue of legal advisors. But in this motion the defendant is seeking to hire his own para-legal, private investigator, and forensic financial expert, in addition to other legal counselors.]

- f) To allow photocopying not just of his pleadings but also of other work product material [motion items 35-40, mem. of law, pp. 15-16.]
- g) To clarify the meaning and frequency of "regular basis," in the order, since the defendant has made it clear that full access and review of the documentary evidence is a priority to him. (motion items: 41-47.)
- h) Government Surveillance (motion items: 48-49, mem. of law pp. 17-18.)
- i) Possession of Documents (mem. of law, pp. 16-17.)
- j) Access to Experts and Potential Witnesses (motion items: 50-54.)
- k) The use of phone for legal calls (motion items: 55-58, mem. of law, pp. 19-20.)

Wherefore, the defendant prays that the Court will schedule a hearing to address these items and will grant them in order to insure full due process rights to the defendant in its capacity to provide to the defendant adequate, meaningful and effective defense.

Respectfully Submitted

Sam A. Al-Arian

Sam A. Al-Arian

Date: September 23, 2003
Orient Road Jail
Hillsborough County