

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 01-455-A
)
 ZACARIAS MOUSSAOUI)
 a/k/a "Shaqil,")
 a/k/a "Abu Khalid)
 al Sahrawi,")
)
 Defendant.)

ORDER

By letter dated March 27, 2003, the Government advised the Court that Fed. R. Crim. P. 12.2(b) has been modified to require a defendant to notify counsel for the United States of his intention to "introduce expert evidence regarding a mental disease or defect or any other mental condition... bearing on either... guilt or... punishment in a capital case" within a time period specified by the Court. In light of the indefinite postponement of the trial date, we find that any demand for notice of the defendant's intention to use mental health evidence at trial is premature. Accordingly, resolution of the Government's Motion Regarding Mental Health Evidence (Docket #93) is STAYED until the trial schedule resumes.

The Clerk is directed to forward copies of this Order to the defendant, pro se; counsel for the United States; and standby defense counsel.

Entered this 31st day of March, 2003.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia