

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

FILED WITH
COURT SECURITY OFFICER

4/14/03

FILED
April 14, 2003

No. 03-4162

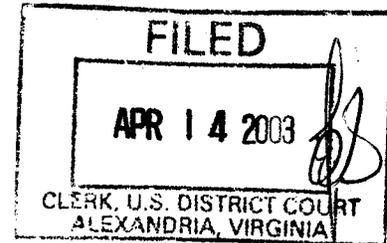
UNITED STATES OF AMERICA

Appellant

v.

ZACARIAS MOUSSAOUTI

Appellee



O R D E R

For reasons appearing to the court, this appeal is temporarily stayed and the cause remanded to the district court for a limited purpose. On remand, the Government is to be given an opportunity to propose substitutions for the classified information authorized to be disclosed by the district court in its order of January 31, 2003, and the defendant and standby counsel are to be given an opportunity to respond to any proposed substitutions.

The district court is directed to determine whether the proposed substitutions, if any, "will provide the defendant with substantially the same ability to make his defense as would" the disclosure ordered by the district court. 18 U.S.C.A. App. III § 6(c) (West 2000). The district court shall issue its ruling as

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expeditiously as possible, but in no event later than Thursday, May 15, 2003.

The parties are permitted to submit supplemental briefs of no more than 15 pages. The briefs shall be limited to those issues posed by the ruling of the district court on substitutions. Supplemental briefs shall be filed as expeditiously as possible, but in no event later than Friday, May 23, 2003.

The purpose of this order is to facilitate appellate review. This order should not be construed as indicating any assessment of the merits of this appeal.

Oral argument is rescheduled for Tuesday, June 3, 2003. The parties are advised that oral argument will not be continued absent extraordinary circumstances beyond the control of the parties and the court.

For the court,

/s/ Patricia S. Connor

CLERK