

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

In his motion docketed as #839, Mr. Moussaoui seeks reconsideration of our Order of January 31, 2003. However, when the United States noticed its appeal of that ruling to the United States Court of Appeals for the Fourth Circuit, this Court was divested of its authority to reconsider the same issue. See United States v. DeFries, 129 F.3d 1293, 1302 (D.C. Cir. 1997). Accordingly, the defendant's motion is DENIED.

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 21st day of April, 2003.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia