

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

Before the Court is standby counsel's Motion for Videotaped Rule 15 Deposition of Luis Martinez-Flores. Standby counsel have not offered sufficient information regarding the materiality of Mr. Martinez-Fores' potential testimony to support a finding by the Court that the interests of justice require the preservation of his trial testimony by deposition.<sup>1</sup> Accordingly, the Motion is DENIED WITHOUT PREJUDICE.

Because standby counsel's Motion does not reveal defense strategy, classified information, or other sensitive pretrial matters to which the public does not have a right of access, it is hereby

ORDERED that standby counsel's Motion be and is unsealed.

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

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<sup>1</sup> Mr. Martinez-Flores does not appear to know anything about the defendant, and had only a brief interaction with two of the defendant's alleged co-conspirators.

Entered this 7<sup>th</sup> day of May, 2003.

/s/

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Leonie M. Brinkema  
United States District Judge

Alexandria, Virginia