

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

ABU AGILA MOHAMMAD
MAS'UD KHEIR AL-MARIMI,

Defendant.

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Case No. 22-cr-392 (DLF)

NOTICE OF FILING OF PARTIALLY REDACTED MOTION

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this notice of filing of a partially redacted motion.

A full version of the motion attached to this document was filed under seal at ECF 230-2.

Respectfully submitted,

JEANINE FERRIS PIRRO
UNITED STATES ATTORNEY

By: /s/ Erik M. Kenerson
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[REDACTED]

**UNOPPOSED MOTION TO CONTINUE RULE 15 DEPOSITION,
MOTIONS HEARING, AND DEADLINE FOR THE PARTIES TO SUBMIT A JOINT
PROPOSED PRETRIAL SCHEDULE**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully requests that the Court continue the Rule 15 deposition scheduled to begin on December 15, 2025 and the hearing on the defendant's motion to suppress statements (tentatively anticipated to begin on December 17, 2025), [REDACTED]
[REDACTED] which as further detailed below results from unforeseen circumstances outside of either party's control. Because any continuance of the Rule 15 deposition and motions schedule is likely to affect the parties' proposed pretrial litigation schedule, the government separately requests a one-week continuance of the deadline to file a joint proposed pretrial schedule.

Counsel for the defendant informed government counsel that the defense does not oppose the government's request to continue the Rule 15 deposition. The defense adheres to its previous position that the government bears the burden at the suppression hearing of producing evidence of the alleged statement's voluntariness. To the extent that the suppression hearing can be rescheduled for a future time that the defense's anticipated witnesses for the suppression hearing

are available, the defense consents to the government's request to continue the suppression hearing to the same week as the Rule 15 deposition the government also seeks to continue. In support of this motion, the government states as follows:

[REDACTED]

[REDACTED]

[REDACTED]¹ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Joint Pretrial Schedule: The parties have worked diligently to craft and agree on a joint proposed pretrial schedule and would have been prepared to file that proposal today, if not for the unforeseen circumstances described above. The parties have reached broad agreement on a proposed schedule that would commence with jury selection beginning on August 24, 2026, in anticipation of witness testimony beginning on or about August 31, 2026. The proposed schedule would involve briefing for any deposition-specific motions *in limine* ahead of future Rule 15 depositions, as well as two rounds of briefing and argument on motions *in limine* related to trial exhibits and trial testimony, to take place throughout June and July. Depending on the timing of the Court's ruling on this motion to continue the Rule 15 deposition and motion to suppress hearing, the parties believe that they can file a joint proposed schedule that takes that ruling into account no later than December 8, 2025.

At this point, the parties ask the Court to keep current briefing deadlines, including those related to exclusion of portions of the defendant's statement under the federal rules of evidence and the government's motion to admit records under 18 U.S.C. § 3505, and to still hear argument on those issues at the January 12, 2026, motions hearing. The parties do not expect that this requested continuance would affect their view of the date on which trial should be set.

WHEREFORE, for the foregoing reasons, and any reasons as may be cited at a hearing, the government requests that the Court continue the Rule 15 deposition presently scheduled for December 15, 2025, as well as the hearing on the defendant's motion to suppress statements to a date convenient for the parties and the Court, and that it continue the deadline by which the parties shall submit a joint proposed pretrial order to December 8, 2025.

Respectfully submitted,

JEANINE F. PIRRO
UNITED STATES ATTORNEY

/s/ Erik M. Kenerson

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