

December 19, 2022: Status Update – Ascertainment of Counsel Hearing before U.S. Magistrate Judge Moxila A. Upadhyaya

We write to provide you with an update on our efforts to prosecute Abu Agila Mohammad Mas'ud Kheir al-Marimi (Al-Marimi) for his alleged role in the attack on your loved ones in the bombing of Pan Am 103.

On December 19, 2022: Hearing held at 2:00 p.m., (ET) before the Honorable Magistrate Judge Moxila A. Upadhyaya for the purpose of determining whether the defendant would retain private counsel or would need counsel appointed by the Court. The hearing took place at the E. Barrett Prettyman Courthouse, 333 Constitution, Ave., NW, Washington, DC 20001, in courtroom 5, on the second floor.

During the hearing, Brian McDaniel, a defense attorney in private practice in the Washington, D.C. area, appeared in court but did not enter his appearance as Al-Marimi's attorney. The Court granted him a three-week continuance to resolve whether he will be Al-Marimi's attorney. The Court appointed Ms. Whitney Minter, Federal Defender in Eastern District of Virginia as Al-Marimi's "stand-by" counsel until such time as Al-Marimi hires Mr. McDaniel or another attorney. Al-Marimi remains in custody.

Next hearing: January 10, 2023, 2:30 p.m. (ET). The Court will determine who will serve as Al-Marimi's attorney and then conduct a formal arraignment of Al-Marimi on the charges in the indictment.

The Court also set a tentative date of **January 25, 2023, at 2:00 p.m. (ET)** for a Detention Hearing (if Al-Marimi decides to challenge his detention). We will not likely know if he seeks such a hearing until the January 10, 2023 hearing.

We will continue to provide updates through the Victim Notification System (VNS) with updated scheduling and event information as the case proceeds through the criminal justice system.

You may obtain current information about this case on the VNS website <https://www.notify.usdoj.gov> or from the VNS Call Center at [1-866-DOJ-4YOU](tel:1-866-DOJ-4YOU) ([1-866-365-4968](tel:1-866-365-4968)) (TDD/TTY: [1-866-228-4619](tel:1-866-228-4619)) (International: [1-502-213-2767](tel:1-502-213-2767)).

In addition, you may use the Call Center or Internet to update your contact information and/or change your decision about participation in the notification program.