

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
V.)	NO. 09-CR-10017-GAO
)	
TAREK MEHANNA)	
_____)	

DEFENDANT’S MOTION FOR VOIR DIRE OF POTENTIAL JURORS

Now comes the defendant, Tarek Mehanna, and moves this Honorable Court to ask the following questions to all members of the jury venire and to conduct individual questioning of any potential juror who answers any of the following questions in the affirmative.

1. Have you, your spouse, any relative or close friend ever been employed by law enforcement, including the FBI, Customs and Border Patrol, Division of Homeland Security, or the Immigration and Naturalization Service, Immigration and Customs Enforcement, local law enforcement or the Massachusetts State Police or any overseas law enforcement?

2. Have you, your spouse, a relative or close friend ever been employed by the court system or criminal justice system?

3. Have you, your spouse, a relative or close friend ever been the victim of a crime?

4. Would you tend to believe the testimony of a law enforcement agent, such as an FBI agent, local police or state trooper just because he or she is a law enforcement officer?

5. Do you believe that law enforcement witnesses are more truthful or more reliable than other witnesses?

6. Have you heard, read or seen on Television or the internet anything regarding Tarek Mehanna? There has been some press coverage in which he has been referred to without any proof as "the Sudbury Terrorist".

7. Do you read, speak, or understand Arabic?

8. Are there any other reasons that you might not be a fair and impartial juror?

The defendant requests that the following questions be asked of each potential juror individually.

9. Did you have any family or close personal friends that were directly affected by September 11th? Did you attend any memorial service or other memorial commemorating September 11th at any time?

If so, please explain.

10. In this case there will be evidence presented that the defendant, a Muslim born in America, supported the destruction of the World Trade Center. Would such evidence make it hard for you to serve fairly and impartially as a juror?

If so, please explain.

11. Do you have any family or close personal friends that are serving or have served in the military since 2000?

If so, please explain.

12. In this case, there will be evidence alleging that the defendant sought military training in a terrorist training camp overseas in order to fight American soldiers in Iraq and Afghanistan. Would such allegations make it hard for you to serve fairly and impartially as a juror?

If so, please explain.

13. In this case there may be videos presented that will show American soldiers being killed in combat. There will be evidence presented that the defendant reacted in a positive way to these killings. Would such allegations make it hard for you to serve fairly and impartially as a juror?

If so, please explain.

14. In this case, there will be evidence that the defendant greatly admired Osama Bin Laden. Would such allegations make it hard for you to serve fairly and impartially as a juror?

If so, please explain.

15. In this case there will be evidence introduced that the defendant and others made negative comments about Jews, Christians, the United States and its armed forces. Would such

language make it hard for you to serve fairly and impartially as a juror?

If so, please explain.

16. The United States has the burden of proving its case beyond a reasonable doubt. This burden never shifts to the defendant. He is presumed innocent and cannot be convicted unless the jury, unanimously and based solely on the evidence presented in court, decides that his guilt has been proven beyond a reasonable doubt. Would you have any difficulty following this rule where the allegations against the defendant include material support of terrorism and conspiracy to kill Americans?

If yes, please explain.

17. In this case, the government will allege that the defendant was part of a conspiracy that sought to plan an attack on a shopping mall, kill Condoleezza Rice and John Ashcroft. He is presumed innocent and cannot be convicted unless the jury, unanimously and based solely on the evidence presented in court, decides that his guilt has been proven beyond a reasonable doubt. Would you have any difficulty following this rule where the allegations are as I have described them?

TAREK MEHANNA
By his attorneys,

CARNEY & BASSIL

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Dated: October 20, 2011

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on or before the above date.

/s/J. W. Carney, Jr.
J. W. Carney, Jr.