

4TH

CR 10-1232

RECEIVED

MAY 02 2011 *EST*

LARRY CRANE
CIRCUIT COUNTY CLERK



60CR-10-1232 601-60100025962-003
STATE V ABDULHAKIM MUJAHID M 3 Pages
PULASKI CO 05/04/2011 02:20 PM
CIRCUIT COURT FI74

To: Herbert Wright Jr

I'm re-entering a plea of guilty
for case 60CR-10-3956.

60CR-10-1232
60CR-10-1233

and I'm dismissing Darbuna Ferguson
as counsel and keeping Patrick Berica
on the Capital Case - CR-2009-2626

B.I. 7120
09

This is a final decision.

P.O.B 7/9/85

S.S 414651353

Abdulhakim Muhammad AH/Muhammad

4/27/11

Abdulhakim Muhammad 7120-09
3201 W. Roosevelt
Little Rock, AR 72200

LITTLE ROCK AR 722
28 APR 2011 PM 2:1

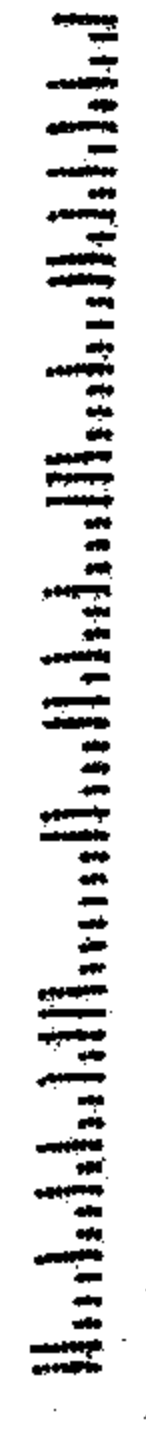


USA
FIRST-CLASS
FOREVER

Herbert Wright Jr
401 N. Markham #490
Little Rock, AR 72204

PULASKI COUNTY REGIONAL
DETENTION FACILITY
LITTLE ROCK, AR 72204

7220181417





HERBERT T. WRIGHT, JR.

Circuit Judge

401 West Markham, Suite 440

Little Rock, 72201

Phone: (501) 340-8593

Fax: (501) 340-8822

SIXTH JUDICIAL CIRCUIT
FOURTH DIVISION

PULASKI AND PERRY
COUNTIES

RECEIVED

MAY 02 2011

LARRY CRANE
CIRCUIT COUNTY CLERK

May 2, 2011

Mr. Claiborne H. Ferguson
Attorney at Law
100 North Main, Suite 3118
Memphis, TN 38103

Re: State vs. Abdulakhim Mujah Muhammad
CR 2009-2626

Dear Mr. Ferguson:

Enclosed is a copy of a document received by this office on Friday afternoon, April 29, 2011. The original will be placed in the case file in the Pulaski County Circuit's Office.

If I may be of any assistance to you, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Tucker".

Jack Tucker
Law Clerk

Enc.

Cc: John Johnson
Patrick Benca
File

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FOURTH DIVISION

STATE OF ARKANSAS

PLAINTIFF

VS.

NO. CR 2009-2626

CR 10-1232

CR 10-1233

CR 2010-1823

CR 2010-3956

DLS

FILED 05/02/11 11:39:34
Larry Crane Pulaski Circuit Cler
CR01

ADULHAKIM MUHAMMAD

DEFENDANT

NOTICE OF AFFIRMATIVE DEFENSES

In support, Defendant states:

1. The Court gave Counsel until May 5, 2011 to notify the State as to what defense intends on using in the above referenced matters.
2. This notice serves as formal notification that Defendant was suffering from both a mental disease and mental defect at the time of the alleged acts. The reports supporting these defenses will be provided to the State as soon as they are made available and will be prior to Court imposed deadline of May 5, 2011.

Respectfully submitted

Patrick J. Benca

PATRICK J. BENCA

AR Bar No. 99020

BENCA & BENCA

1311 S. Broadway St.

Little Rock, AR 72202

(501)353-0024 / fax: (501)246-3101

E-mail: PJBenca@aol.com

CLAIBORNE H. FERGUSON

AR Bar No. 2010016

100 North Main, Suite 3118

Memphis, TN 38103

(901)529-6400 / fax: (901)202-2053

E-mail: Claiborne101@yahoo.com

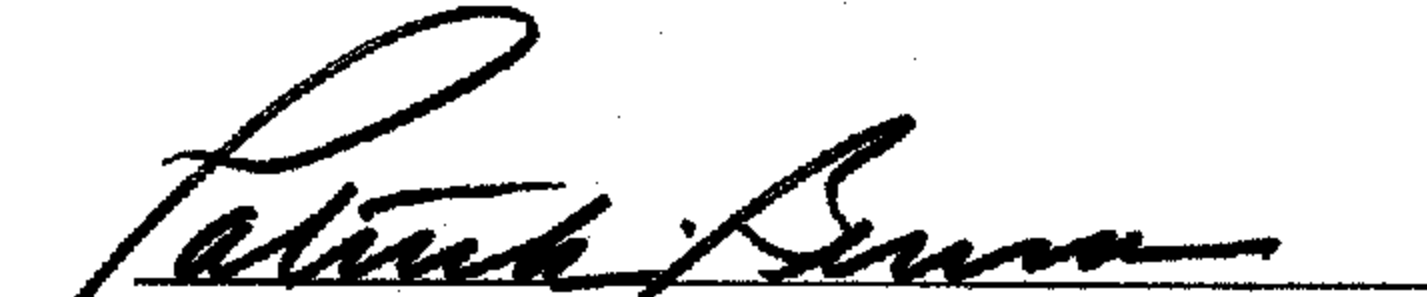
Attorneys for Defendant



60CR-10-1232 601-60100025852-031
STATE V ABDULHAKIM MUJAHID M 2 Pages
PULASKI CO 05/02/2011 11:39 AM
CIRCUIT COURT NTGO

CERTIFICATE OF SERVICE

I, Patrick J. Benca, do hereby certify that a true and correct copy of the foregoing pleading has been placed in the box marked as Prosecuting Attorney at the Pulaski County Courthouse on May 2, 2011.


PATRICK J. BENCA

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FOURTH DIVISION

STATE OF ARKANSAS

PLAINTIFF

VS.

NO. CR 10-3956

CR09-2626

CR10-1233

CR10-1232

CR10-1823

ABDULHAKIM MUHAMMAD

DEFENDANT

ORDER


On this 16th day of March, 2011, comes this Order to supply opposing counsel the following information no later than April 15, 2011;


The name(s) of any expert to be called as witness(es) regarding the mental status of the defendant in the above referenced cases, the report of that witness(es) or the report(s) to be relied upon by that witness(es) regarding the mental status of the defendant and the Curriculum Vitae of the witness(es).

IT IS SO ORDERED.


CIRCUIT JUDGE

3-16-11
DATE


60CR-10-1232 601-60100023965-064
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 03/16/2011 09:08 AM
CIRCUIT COURT OR80

FILED 03/16/11 09:08:49
Larry Crane Pulaski Circuit Clerk
CRO1 

DEFENSE ATTORNEY:

In The Circuit Court of Pulaski County, Arkansas

Fourth Division
401 W. Markham
Suite 440 • Little Rock, AR
(501) 340-8593


FILED 02/18/11 14:12:12
Larry Crane Pulaski Circuit Clerk
SJ

STATE OF ARKANSAS

vs.

No. 10-1232

Abdulhakim Muhammad



60CR-10-1232 601-60100022792-005
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 02/18/2011 02:12 PM
CIRCUIT COURT NT12

We wish to advise that in the above case _____,
charging the offense of _____,
has been set for 9:00 AM in the 4th Division, Circuit Court,
Pulaski County, Little Rock, Arkansas, on February 9, 11,
at 908.

Please be notified that your presence is required.

COPY TO

- Defendant's Attorney
- Defendant
- Prosecutor
- Bonding Company

HERBERT T. WRIGHT, JR.
CIRCUIT JUDGE

2-15-11

DEFENSE ATTORNEY: *P. ...*

In The Circuit Court of Pulaski County, Arkansas

Fourth Division
401 W. Markham
Suite 440 • Little Rock, AR
(501) 340-8593

FILED 02/08/11 13:01:06
Larry Crane Pulaski Circuit Clerk
SJ

STATE OF ARKANSAS

Abdulhakim Muhammad
vs.

No. *10-1232, 133, 1823*

60CR-10-1232 601-60100022341-002
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 02/08/2011 01:01 PM
CIRCUIT COURT NT12

We wish to advise that in the above case _____,
charging the offense of _____,
has been set for *04* _____ in the 4th Division, Circuit Court,
Pulaski County, Little Rock, Arkansas, on *FEB 9, 11* _____,
at _____.

Please be notified that your presence is required.

COPY TO

- Defendant's Attorney
- Defendant
- Prosecutor *G*
- Bonding Company

HERBERT T. WRIGHT, JR.
CIRCUIT JUDGE

2/2/11

FILED 12/27/10 13:11:33
Pat O'Brien Pulaski Circuit Clerk
D19

TO: Herb Wright
From Abdulhakim Muhammad
3,3# 7120-09 S.S.# 1353 O.O.B 7/8/85

I've come to the conclusion to
represent myself

I'm dismissing Claiborne Ferguson of Memphis
and Patrick Bonca. I know for a fact now Ferguson
will try to delay trial again. So, it's in my best
interest to dismiss him as counsel and
represent myself to avoid anymore delays
in my upcoming capital trial in February.

A. H. Muhammad

12/10/10

Abdulhakim Mujahid Muhammad

60CR-10-1232 601-60100020296-014
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 12/27/2010 01:11 PM
CIRCUIT COURT FT/ST

Case # CR 2009-2626

A. H. Muhammad

12/10/2010

Abdulhakim Muhammad

60CR-10-3956

60CR-10-1232

60CR-10-1233

CR-10-3150

CR-10-3151

CR-10-6930

CR-10-6932

CR-10-6933

CR-10-6934

CR-10-7934

CR-10-7935

CR-10-7936

CR-10-7937

CR-10-7938

CR-10-7939

CR10-1823, 10-12'33, 10-1232

FILED

NOV 02 2010

PAT O'BRIEN
CIRCUIT-COUNTY CLERK

TO: Herb Wright

From: Abdulhakim Mujahid Muhammad

B. I# 7120-09 D.O.B 7/9/85

S.S # 414651353 Mother's maiden name:

I'm writing this letter to confirm my last letter
I wrote pleading guilty to all charges
I caught in this jail. And I'm entering another
plea of guilty of all new bogus charges I've caught
just two days ago, including: Agg. Assault on
Correctional officer, 2nd Degree Battery, 3rd Degree B.
Terroristic Threats, Obstruction of Gov. operation,
Interfering with a Law Enforcement officer.

P.S. And if there's anymore delays caused by
either Ferguson or Benca, I will retrieve both
of them and exercise the right to represent
my damn self in this upcoming sham trial.

Abdulhakim Muhammad

AH Muhammad 10/27/10



60CR-10-1232 601-60100010293-016
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 11/02/2010 04:53 PM
CIRCUIT COURT F173T

DEFENSE ATTORNEY: *Alma*

In The Circuit Court of Pulaski County, Arkansas

**Fourth Division
401 West Markham
Suite 440 • Little Rock, AR
(501) 340-8593**

STATE OF ARKANSAS

VS.
Abdulhakim Mujaheed

Case No: CR *10-1232*

WE WISH TO ADVISE THAT THE ABOVE CASE CHARGING WITH THE OFFENSE
OF _____ HAS BEEN SET FOR:

OMNIBUS HEARING: *7/20/11* AT: *8:30 a.m.*

AND

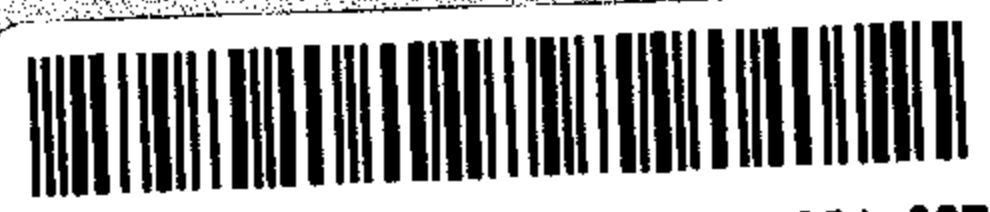
JURY TRIAL: *Nov 15, 11* AT: *9:00 a.m.*

JURY WAIVER & MOTION CUTOFF: _____

**BY RECEIPT OF THIS NOTICE YOU ARE HEREBY ADVISED THAT
FAILURE TO APPEAR AT EITHER THE OMNIBUS HEARING OR THE JURY
TRIAL WILL RESULT IN THE IMMEDIATE ISSUANCE OF AN ALIAS
WARRANT FOR YOUR ARREST.**

- COPY TO**
- Defendant's Attorney
 - Defendant
 - Prosecutor
 - Bonding Company

HERBERT T. WRIGHT, JR.
CIRCUIT JUDGE



60CR-10-1232 601-60100006301-027
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 08/17/2010 09:54 AM
CIRCUIT COURT F1589

3/17/11

47A



Division of Behavioral Health Services

Arkansas State Hospital
305 S. Palm St. • Little Rock, AR 72205-4096
501-686-9000 • TDD: 501-686-9176



July 20, 2010

FILED 07/27/10 09:54:03
Pgt O'Brian Pulaski Circuit Clerk
TM

Honorable Herb Wright
Fourth Division
401 W Markham St.
Little Rock, AR 72204

RE: MUHAMMAD, Abdul
AR. Code Section: 5-2-305
Examination Date: 07/12/10
Pulaski County Docket No.: CR 09-2626,
CR 10-1233, CR 10-1232

Dear Judge Wright:

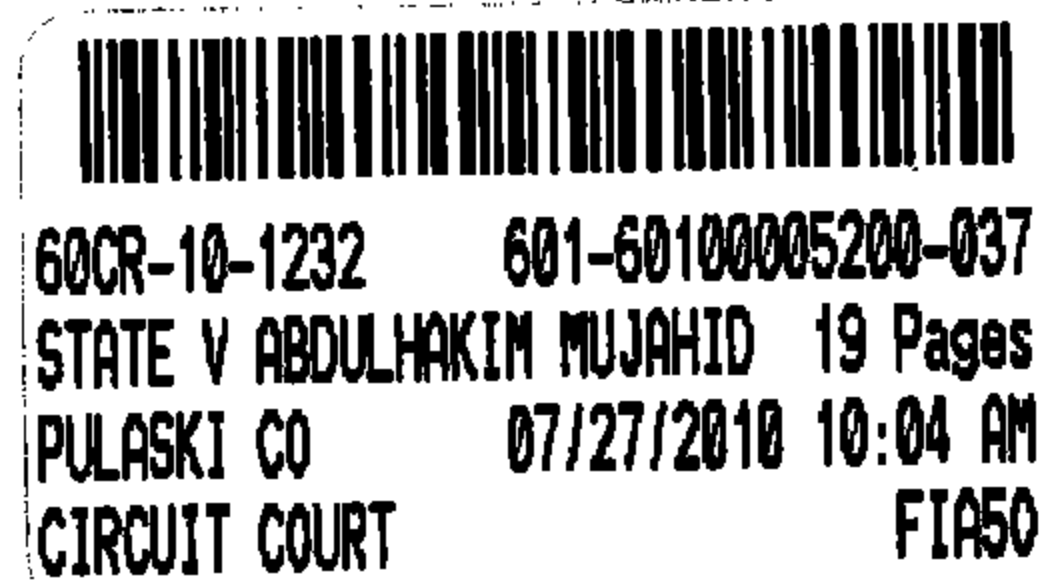
The above named individual was ordered for a forensic evaluation through the Pulaski County Circuit Court. Attached you will find the completed forensic report performed at the Arkansas State Hospital Forensic Services.

If you have any questions or concerns, please call me at {501} 683-3377.

Sincerely,

Tammy Dragon
Office Manager, Forensic Services

td: tf



cc: John Johnson, Prosecuting Attorney
Claiborne Ferguson, Defense Attorney
Pulaski County Circuit Clerk
Billy Burris, DBHS, Arkansas State Hospital
File

**Arkansas Department of Human Services
Division of Mental Health Services
Arkansas State Hospital**

Forensic Report

IDENTIFYING INFORMATION:

DEFENDANT: Abdul Hakim Muhammad

DATE OF BIRTH: 7/9/85 **AGE:** 25

DEFENDANT'S HOSPITAL NUMBER: 702421

CHARGES AND DOCKET NUMBERS: Capital Murder and Attempted Capital Murder (CR 09-2626), Aggravated Assault (CR 10-1233), and Terroristic Threatening 1st Degree (CR 10-1232)

DATE OF COURT ORDER: 4/30/10

DATE OF EXAMINATION: 7/12/10

PLACE OF EXAMINATION: Forensic Unit of the Arkansas State Hospital

DATE REPORT SUBMITTED: 7/19/10

REFERRED BY: The Circuit Court of Pulaski County, 4th Division

REFERRAL ISSUES: In accordance with ACA § 5-2-305; Opinion on Fitness to Proceed, Criminal Responsibility and Diagnosis of Defendant

SUMMARY OF OPINIONS:

1. At the time of the examination, Mr. Muhammad had the capacity to understand the proceedings against him and the capacity to effectively assist his attorney in his defense.
2. At the time of the examination, Mr. Muhammad did not have mental disease or mental defect. His diagnoses were:
 - Axis I: None
 - Axis II: None
 - Axis III: None
3. At the time of the alleged conduct, should the fact finder conclude that Mr. Muhammad committed the alleged offenses:
 1. He **did not have** mental disease or mental defect.
 2. He **did not lack** the capacity to appreciate the criminality of his conduct.
 3. He **did not lack** the capacity to conform his conduct to the requirements of the law.

HISTORY

PREVIOUS FORENSIC EVALUATION:

Mr. Muhammad stated that his attorney retained a private psychologist, John Hutson, to interview him. The defendant reported that Dr. Hutson asked questions of him that pertained to the topic of if he had been "radicalized or brainwashed."

SOCIAL HISTORY:

Mr. Muhammad was born in Memphis, Tennessee to Melvin and Linda Bledsoe. He lived with his parents and older sister in Memphis until he graduated high school and left for college. He attended Tennessee State in Nashville, Tennessee. He reported that he lived in the dorms for the first year of college, then moved to live in an apartment near campus for the second year of school. The defendant stated that he began to question his Christian heritage, and thus, began investigating other religions. He stated that he converted and considered himself a Muslim in December of 2004. In 2007, he moved to Yemen to teach English. He moved several times while in Yemen to teach English and to participate in Islamic Studies. While in Yemen, he married another teacher. He sold his vehicle that remained in America to help pay for the dowry. He had been married for approximately 2 months when Yemen officials arrested him at a road checkpoint. He stated that the officials arrested him because he had a fake Somalia passport, an expired US passport, and he lacked the proper government permissions to travel. Mr. Muhammad stated that he had the fake passport because he planned on entering in to Somalia to join with like-minded others who wanted to wage a Jihadi against Jews and Americans.

Mr. Muhammad stated that "people from the US embassy" came to interview him during his detention in Yemen. He stated that they interviewed him because he had "literature, contact, cell, videos, and people's numbers on my phone that were wanted in Saudi Arabia." The defendant reported that he remained in incarceration for approximately 2.5 months before being deported back to America.

According to the defendant, he lived with his parents in Memphis, Tennessee, for about 3 months before he moved to work for his father in Little Rock, Arkansas. He stated he lived in Little Rock for approximately 2 months before his current arrest and incarceration.

EDUCATION HISTORY:

The defendant stated that he attended kindergarten through 2nd grade at Denver Elementary School in Memphis, Tennessee. He attended 3rd through 6th grade at Brookmead Elementary in Memphis. He attended 7th and 8th grade at Craigmont Middle School and 9th through 12th grade at Craigmont High School in Memphis, Tennessee. He stated that he attended all regular classes. His schools had suspended

him on several occasions for fighting. He clarified, "I was a gang member." He attended 3 semesters of college at Tennessee State in Nashville, Tennessee.

OCCUPATIONAL HISTORY:

According to the defendant, he worked at Chuck-E-Cheese for over a year. At age 16, he began working for his father in their family tour bus business. He worked for his father until he moved to attend college. At age 18, he worked for approximately one year at Opryland Hotel as a bellboy. At age 19, he worked for a temp service doing mainly warehouse assignments. Following his move to Yemen, Mr. Muhammad held several different jobs teaching English language classes. When Mr. Muhammad returned to America, he worked for his father's Little Rock, Arkansas, tour bus business.

MENTAL HEALTH TREATMENT HISTORY:

Mr. Muhammad stated that he had no prior mental health difficulties or treatment.

Deputy David from the Pulaski County Detention stated that, to the best of his knowledge, Mr. Muhammad had not displayed any behaviors that appeared psychotic or due to mental illness while incarcerated.

CURRENT MEDICATIONS:

The defendant stated that he took no medications at the time of this interview or at the time of the alleged offenses.

DRUG AND ALCOHOL HISTORY:

Mr. Muhammad reported that he first used alcohol at "about age 15 or 16." At that time, he drank "maybe 2 or 3 times a year." He stated that his alcohol consumption changed when he went to college. He drank alcohol until intoxicated approximately 4 nights out of the week. He reported that he last used alcohol, prior to his Muslim conversion, in December of 2004.

The defendant stated that he first used marijuana at age 14. He used about "a joint or two every month." He increased his marijuana usage when he entered college. He stated that he smoked an average of an ounce of marijuana weekly. He described his usage at that time as about "two blunts a day." He last used in December of 2004.

Mr. Muhammad stated that he had never attended alcohol or illicit substance abuse specific treatment.

FAMILY HISTORY:

The defendant stated that he had a paternal uncle with alcoholism.

RELEVANT MEDICAL HISTORY:

Mr. Muhammad stated that he had no relevant medical illnesses. He had no history of a head injury or seizures.

FORENSIC EXAMINATION

OFFICIAL VERSION OF THE OFFENSES:

Information relating to the charge of Aggravated Assault (CR 10-1233):

Mr. Muhammad is charged with Aggravated Assault (CR 10-1233). The Pulaski County Sheriff's Case Summary for case #10-7279 documented the following:

At 1100 hours Sgt. Bangs and Dep. Grunerwald went to cell U-326 to get Abdula Hakim Muhammad (B/I #7120-09) for his visit. Dep. Grunerwald opened the trap to place handcuffs on Muhammad. Muhammad stabbed Dep. Grunerwald with a metal object in the duty belt. Grunerwald was not injured.

The Pulaski County Sheriff's Office General report documented the following:

Narrative:

At 1100 hours Sgt. Bangs and myself went to cell U-326 to get Muhammad, Abdulhakim (B/I#7120-09) for his visit. When I opened the trap to place handcuffs on him, he stabbed me with a metallic object in the duty belt. Sgt. Bangs closed the food trap. Inmate Muhammad was yelling "I got ya white boy, you gonna die, Alah, Alah, Alah, Whaknhad. You gonna die white boy. I got your ass." I was not injured during the incident.

The Pulaski County Sheriff's Office Supplemental Report Inmate Disturbance dated 4/12/10 documented the following:

At approximately 1050 hours I was contacted by Deputy Grunenwald to come to U-unit and assist with a full restraint visit. I entered the unit and Deputy Grunenwald and I walked to cell #326 where inmate Muhammad, A #7120-09. Deputy Grunenwald opened up the food trap to handcuff inmate Muhammad and inmate Muhammad jammed his hand out of the trap holding a sharp instrument. He made contact with Deputy Grunenwald's utility belt. He backed up and started yelling "I got you white boy, I got you. Call a Code Blue, Call a Code Blue. Allah, Allah, Allah." I told deputy Grunenwald to check his body for injuries, none were found. The trap was secured. I asked Muhammad did he want to give up his weapon, he said no come and get it. I walked away and contacted Lieutenant Hobbs.

Information relating to the charge of Terroristic Threatening 1st Degree (CR 10-1232):

Mr. Muhammad is charged with Terroristic Threatening 1st Degree (CR 10-1232). The Pulaski County Sheriff's Case Summary for case #10-7531 documented the following:

On 04-12-10 at approximately 1050 hours Deputy Huff was in the lower front subday, where Inmate Muhammad (B.I. #7120-09) is housed in U-323. Inmate Muhammad began yelling very loudly stating, "You're done you redneck ass motherfucker, I'm gonna kill your bitch ass. I'm gonna find something better than a piece of motherfucking glassess, you punk ass white boy. I'm gonna stab you in the motherfucking heart you bitch, I'm gonna get you better than I got mother fucking Grunenwald. I'm gonna stab you in the mother fucking heart." Deputy Huff exited the subday without saying anything and contacted Sgt. Berry over the phone and informed her of the situation.

Information relating to the charge of Capital Murder and Attempted Capital Murder (CR 09-2626):

Mr. Muhammad is charged with Capital Murder and Attempted Capital Murder (CR 09-2626). The Case Report by Detective Matt Nelson documented the following:

On June 1, 2009 at approximately 1019 hrs Little Rock Police Officers responded to a shooting just occurred at 9112 N. Rodney Parham at the U.S. Army Recruiting Center. Officers on scene advised that they had two victims shot multiple times and that Homicide Detectives and C.S.S.U. were requested. Patrol Officers also advised that, through witnesses on scene, the suspect left driving south bound on Rodney Parham. The suspect was described as a black male, driving a black Ford Explorer Sport Track. A broadcast of this information was made city wide for Officers who were circulating the area.

Homicide Detectives responded to 9112 N. Rodney Parham and observed that a crime scene had been established with crime scene tape. Contact was made with emergency personnel who were treating the victims on scene. The first victim who was outside the business on the sidewalk was identified as Pvt. William Long. The second victim who was on the floor inside the business was identified as Pvt. Quinton Ezeagwula. Both victims were transported to Baptist Hospital to be treated for their injuries. Pvt. Long was pronounced dead upon arrival to the hospital by Dr. Flamik; his time of death was 1056 hrs. Pvt. Ezeagwula condition was listed as critical and ER personnel advised that he may need to have surgery.

Several pieces of evidence were noted at the scene by Detectives, which included shell casings, bullet holes and possible bullet fragments. These pieces of evidence were marked and noted for the C.S.S.U. when they arrived on scene. Detectives on scene then began to interview several witnesses in the area. While Detectives were at the crime scene, Patrol Officers stopped a vehicle matching the description of the suspect vehicle at the I630 and I30 interchange. A felony traffic stop was conducted and Officers took the suspect, later identified as Abdul hakim Mujahid Muhammad, into custody without incident. The vehicle was secured and impounded into the crime scene bay to be processed. Mr. Muhammad was transported to the Detective Division for a statement.

Det. Matt Nelson and Det. Tommy Hudson responded to the Detective Division to interview Mr. Muhammad. Mr. Muhammad was placed into the Homicide interview room where he was then read his Miranda rights. Mr. Muhammad waived his rights and agreed to give a statement to Detectives. Mr. Muhammad stated that he was a practicing Muslim and advised that he was mad at the U.S. Military because of what they had done to Muslims in the past. Mr. Muhammad advised that he took three weapons, including an assault rifle, and put them into his Ford sport track. Mr. Muhammad further stated that he drove around in the vehicle and saw the two U.S. soldiers smoking outside of the Army Recruiting Station, stopped his vehicle, and began shooting at the soldiers who were standing outside smoking. According to Mr. Muhammad, he fired several rounds at the Soldiers with the intent of killing them. Mr. Muhammad stated that he would have killed more soldiers if there were more in the parking lot.

According to his statement, Mr. Muhammad then fled in his vehicle south bound on Rodney Parham to Markham. Mr. Muhammad advised that he then went west bound on Markham to Shackelford and then south bound on Shackelford. Mr. Muhammad advised that that he then got onto I630 east bound and was pulled over by police at the I30 interchange.

Two search and seizure warrants were conducted by the Little Rock Police Department. The first one was on Mr. Muhammad's vehicle that he used in the commission of the crime. The second warrant was conducted on Mr. Muhammad's apartment. The vehicle is a black 2003 Ford Sport Trac (Tennessee LPN-585FFGK) and was registered in Mr. Muhammad's father's name. Several pieces of evidence were taken from the vehicle during the search warrant including SKS 7.62 x 39 assault rifle and several rounds of ammunition. The address where the second search warrant was conducted was 12201 Mara Lynn Road apartment 4205. Little Rock Police Detectives seized several pieces of evidence in the search warrant including items used to make Molotov cocktails...

The Officer's Report by Officer Stephen Gorbet dated 6/1/09 documented the following:

... I activated my blue lights and the vehicle pulled towards the right shoulder near the [illegible] on ramp. The vehicle slowed down but didn't stop. The vehicle then pulled all the way across to the left lane end he continued e/b to the I30 e/b on ramp. About halfway up the ramp in the curve the subject pulled to the shoulder. At that time I exited my patrol unit and the b/m stuck his hands out the driver's side window. I drew my service weapon and ordered the subject to keep his hands outside the window. At that time officer Metcalf arrived at the scene followed by Sgt Stephens. The suspect was ordered to turn the vehicle off and throw the keys out. We then ordered the subject to open the door and step out. When the subject stepped out he was wearing a green ammo belt around his waist. At that time the subject was told to lay down on the ground. The subject got down on the ground and he was then handcuffed. I did a pat down of the subject and in his right front pants pocket he had a Horcin .380 semi auto weapon that was loaded. Also several loose rounds (.380) were found in his right front pocket. The ammo belt that the subject was wearing had several clips with ammo in them...

Officer Metcalf documented the following in the Officer's Report dated 6/1/09:

... Mr. Muhammad was placed in my patrol vehicle and transported to the Downtown D.O. While en route to the D.O. Mr. Muhammad stated to me, "It's a war going on against Muslims and that is why I did it." He further stated, "he saw it on the news last night someone was pissing on the Koran." He further stated, "You see how I gave up with no problem." He was at D.O. for questioning. Charges are pending at this time.

Detective Tommy Hudson documented the following information in the Homicide Information Sheet dated 6/4/09:

Detective Nelson and I responded to the Downtown Detective Division to interview Abdulhakim Mujahid Muhammad. Upon our arrival, we made contact with Mr. Muhammad in interview room number four. We then walked Mr. Muhammad to the Homicide Interview Room where I read his Miranda Rights to him. Mr. Muhammad agreed to waive his rights and give a statement to Detective Nelson and myself. I then initiated the video system and a voice recorder and read over Mr. Muhammad's rights to him again which he again agreed to waive.

At this time I began asking Mr. Muhammad why he shot the soldiers in this incident. Mr. Muhammad stated that he was a practicing Muslim. Mr. Muhammad stated that he was originally from Memphis TN. and later moved to Nashville TN. where he attended college at TN. State. Mr.

Muhammad stated that he was studying religion and was turning his life around after being arrested for possessing an SKS Rifle and a sawed-off shotgun in Nashville. Mr. Muhammad stated that after this arrest, he converted and became a Muslim.

Mr. Muhammad stated that he wanted to move to Saudi Arabia and go to MECA but was unable. Mr. Muhammad stated that in 2007 he moved to Yemen where he taught English to people that lived in Yemen. Mr. Muhammad stated that he studied Arabic and attended an unknown MOSC in Yemen. Mr. Muhammad stated that he had a bank account with a Yemen bank but was always paid cash. Mr. Muhammad stated that he married a woman from Yemen but did not give her name to me. Mr. Muhammad stated that eventually he was caught with a forged Somali identification card and imprisoned by the Yemen authorities. Mr. Muhammad stated that while in the Yemen prison, he met other Muslims from other countries including Germany, Britain, and Somalia.

Mr. Muhammad stated that while in prison, he met with an F.B.I. Agent named "Greg." Mr. Muhammad stated that "Greg" told him that he was going to be deported from Yemen back to the United States. Mr. Muhammad stated that he told "Greg" that he didn't want to return to the United States but was told he had no choice.

Mr. Muhammad stated that when he returned to the United States in 2009, he had a great hatred for the United States and particularly the United States Military. Mr. Muhammad stated that he was mad at the CNN for filtering its news and not showing the truth in the Middle East. Mr. Muhammad accused the United States Military Personnel of "target shooting the Koran" and "pissing on the Koran." Mr. Muhammad also stated that United States Soldiers were also raping Muslim women and children in the Middle East.

Mr. Muhammad got into a theological conversation with me over the difference between Christianity, Muslim, and Judaism. Mr. Muhammad stated that Christians should be friendlier to Muslims since Muslims believed that Jesus Christ was a prophet. Mr. Muhammad stated that Christians should not be on the side of Jews since they killed Jesus Christ.

Mr. Muhammad stated that killing and shooting the soldiers at the Recruit Center was an act of war and Jihad and he was not guilty of murder. Mr. Muhammad stated that he would have killed more soldiers had there been more on the parking lot. I told Mr. Muhammad that we were conducting search and seizure warrants on his vehicle and his apartment. I asked Mr. Muhammad if there were any bombs in his vehicle or at his apartment and if they were booby-trapped. Mr. Muhammad stated that there were at least six Molotov-cocktails in the bed of his vehicle in a milk crate. Mr.

Muhammad described these bottles as some being green and some being clear. Mr. Muhammad stated that there was gasoline and oil in these bottles with a wick and taped together with duct tape. This information was relayed to other Homicide Detectives and the F.B.I. who were conducting these searches.

DEFENDANT'S ACCOUNT OF THE OFFENSES:

Information relating to the charge of Aggravated Assault (CR 10-1233):

Mr. Muhammad stated that the officer he allegedly stabbed had just returned from Iraq. He stated that the officer "had been bragging about killing sand niger's and Muslims in front of me. Mr. Muhammad stated he then decided "to kill the mutherfucker." The defendant stated, "He lied and said I stabbed his belt. I stabbed his stomach, that bastard." Mr. Muhammad stated that he "stabbed to kill."

Mr. Muhammad reported that he had made a shank utilizing an earpiece from one of his glasses. He decided to "wait until the opportune time." He had the shank for two weeks before the alleged incident. The defendant stated that he waited until the specific targeted officer opened the flap door before he attempted to stab him.

Information relating to the charge of Terroristic Threatening 1st Degree (CR 10-1232):

According to Mr. Muhammad, the officer he attempted to stab had a "friend, they're buddies" who also worked at the jail and had recently returned from Iraq. He accused the officer of urinating on his clothes because one day his clothes smelled to him of urine. Thus, the defendant stated he threatened to kill the officer. Mr. Muhammad continued, "I plan on stabbing him. I'll kill him if I get the chance. Or, I'll get someone else to do it. Then, I'll piss on him."

Information relating to the charge of Capital Murder and Attempted Capital Murder (CR 09-2626):

Mr. Muhammad stated that he first began planning to "carry out Jihad on America" while incarcerated in Yemen. He began to research and develop a plan after he returned to live in Little Rock, Arkansas. He stated he planned "different Army recruiting centers and Jewish organizations." He explained that he chose those two targets "because what they're doing in Palestine or years of killing Muslims." He described the path he planned to take on his Jihad as, "Little Rock, Memphis, Nashville, Florence, Kentucky, Philadelphia, Baltimore, and D.C."

According to the defendant, he began preparing for his Jihad weeks prior to the alleged crime. He stated that he bought several guns and "stockpiling ammo." He said that he had to buy the weapons and ammo over time because he was "on a

budget." When asked, he said that he did not use a credit card to buy supplies because "Muslims don't believe in interest." The defendant described buying an SKS rifle "off a guy to avoid the FBI." In addition he bought a "pistol off people, second hand" to "avoid the FBI." He expounded that he expected the FBI to be tracking him and possibly monitoring if he bought a gun due to the required background check. He stated that he bought the guns through individuals to avoid the background check that might alert the FBI to his intentions to kill people in America. He reported that he expected the FBI to be tracking him because they had interviewed him in Yemen and again when he entered the United States.

Mr. Muhammad stated that he bought a .22 rifle "over the counter at Wal-Mart to test if I'd get caught or questioned." He explained that he bought the .22 rifle specifically as a "test to see if I was under surveillance." He described walking out of the store through the Wal-Mart parking lot with the new gun thinking to himself, "It's on." "Meaning, I'm not under surveillance. The FBI had not put a hold or checked."

Mr. Muhammad described "training" for his Jihad. He reported that he went to empty construction sites to practice shooting his guns. He stated that he was "practicing to shoot people."

According to Mr. Muhammad, he began his Jihad in Little Rock, Arkansas. He reported that he "did something here," but declined to expound. Then, he drove through Memphis to Nashville, Tennessee. He drove to the house of a Jewish rabbi. He stated that he "picked an orthodox rabbi" and his actions were "retaliation, nothing personal." He had previously prepared a carton of Molotov cocktails. He lit one and threw it at the house, but "it bounced off the glass. It didn't go through." He described quickly leaving the scene and driving directly to his next predetermined target, an Army Recruiting Center in Florence, Kentucky. He stated that he had researched Army Recruiting Centers prior to leaving Little Rock over the internet. He decided on the center in Florence because "it was near an interstate and bordered Ohio. Easy to get away." He drove to the Army Recruiting Center, but the office was closed. Mr. Muhammad stated, "It was supposed to be my first."

After arriving at the Army Recruiting Center in Kentucky and finding it closed, Mr. Muhammad decided "after two failed attempts I'm going home and plan." He drove directly back to Little Rock. He described feeling dejected and frustrated with his unsuccessful attempts. He had been planing and saving for the Jihad for a long time and things had not gone as planned. He had saved for the guns, ammunition and gas for the trip. He reported that gas at the time of the alleged crime had reached "near \$4 a gallon." Thus, he had spent considerable money without accomplishing his goals. When he drove in to Little Rock and down Rodney Parham street, he noticed "two guys in Army fatigues smoking" outside of the Army Recruiting Center.

Mr. Muhammad described his actions at the time of the alleged crime. He said, "I went around the corner so they cannot see me. I did not want them to see me coming. I had the SKS with me and put it out the window. I rolled by and started shooting." He continued, "I was trying to kill them." When questioned, he stated that he used the SKS rifle because "it was the most powerful one I had." He stated he "drove off and made a right on West Markham." He reported he drove off "to avoid capture. Going to jail was not part of the plan."

The defendant stated that "I got myself caught." He said that he decided, after shooting the soldiers, he would flee to Memphis and change vehicles there to avoid detection by authorities. He reported that he mistakenly took a wrong turn due to construction at the I430 and I630 interchange. In addition, he stated that he made the mistake of leaving "the flat bed down." He explained that by leaving the tailgate down, it made identification of his vehicle much easier for police. He said, "Police knew 100% it was me. I had a black truck with the tailgate down."

Mr. Muhammad stated that he shot the soldiers "not due to mental illness, but due to obligation. It is a religious belief."

CLINICAL EVALUATION:

Mr. Muhammad described his mood as, "Stressed out from being in jail." He described being in a single person isolation cell. He stated that he had been placed in isolation because jail authorities had accused him on inciting the other inmates. The defendant stated that he had arranged for another inmate to throw urine on an jail officer. The defendant stated that he planned on killing the officer when he had the chance. He reported that he had experience using weapons that could cause serious harm beginning in middle school. He described using guns and knives in altercations during his school years. Records from Shelby County Sheriff's Office documented that the defendant had been involved in incidents that included fighting, threats to kill others and property destruction with brass knuckles.

Mr. Muhammad stated, "I'm not insane. I can stand trial. I'm not crazy." He reported that he agreed to this evaluation to avoid delays in this trial. He explained that if he exercised his right not to participate in this interview, it would likely delay his trial because there might be further hearings to determine if he could stand trial because the issue had not been quickly settled by "just doing this evaluation."

Mr. Muhammad stated, "I have no mental problems." He reported that his attorney wanted to prove that he "had been radicalized" by Muslim extremists. He stated, "I'll be on Death Row. What other defense can he use? I can prove my belief is in the Koran, not radicalized. It's my religion. My family's Baptist. They don't understand. I'm saying I'm not brainwashed. I'm going to tell him nothing but to plea guilty. I tried to write the judge a letter to tell him that." Mr. Muhammad spoke about his beliefs based upon his understanding of the versus in the Koran. I asked Mr. Muhammad to read a printed copy

of the handwritten letter he allegedly wrote to the judge. The defendant stated that he wrote the letter. Mr. Muhammad quoted versus he stated were in the Koran. He discussed the versus and expounded on how he considered his actions in the alleged offense of Capital Murder and Attempted Capital Murder were justified according to his religious beliefs. The defendant stated he wrote the following letter:

To Judge Wright Jr.
From Abdulhakim Muhammad

I'm writing this because I wish to plead guilty. To all charges I'm facing. Without deals without respite. I wrote the prosecutor and Federal Bureau of Investigations and TBI (Tenn. Bureau of Investigation). Informing them of all of the acts I was involved in around or about May 29 - June 1 2009. I do not wish to receive funds for my defense. I don't wish to have a trial. I'm affiliated with Al-Qaeda in the Arabian Peninsula. Member of the Abu Basir's Army. This was a Jihadi Attack on infidel forces. That didn't go as plan. Flat out truth. I plead to capital Murder, Attempt capital Murder and The other 10 counts without compulsion without deals. My lawyer and prosecutors have fail to comply. I wrote John Johnson informing him of this. He responded I couldn't plead guilty to capital murder case. Which I think is a lie. That's why I'm writing you my lawyer has no defense. I wasn't insane or post traumatic nor was I forced to do this act. Which I believe it is justified according to Islamic Laws and the Islamic Religion Jihad to fight those who wage war on Islam and Muslims. At the next hearing I look forward to pleading guilty and await sentencing.

Abdul Hakim Muhammad
11 pm 1/12/2010

The defendant stated that he did not have any mental health difficulties presently or at the time of the alleged offenses. He stated that he had never experienced hallucinations, delusions, mania, or excessive difficulties with his moods. He stated that he had no plans to kill himself and listed his religious beliefs as strong barriers to self harm.

On 7/14/10, Michael Simon, Ph.D., administered the Wechsler Adult Intelligence Scale - 4th Edition (WAIS-IV) to Mr. Muhammad. Dr. Simon reported the following in the Psychological Evaluation Note dated 7/14/10:

Mr. Muhammad's performance on the WAIS-IV yielded a Full Scale IQ of 90 (Verbal Comprehension Index = 93; Perceptual Reasoning Index = 86; Processing Speed = 92; Full Scale IQ = 90) which indicates that he presently functions at the bottom end of Average range of intelligence. His test results are believed to provide a valid measure of his intellectual functioning. Evidence of this is provided by the fact that he attained two of his best scores on Matrix Reasoning and Coding, subtests which are often correlated with an examinee's level of motivation. His vocabulary and general fund of information were also areas of strength.

In summary, the results of intellectual testing indicate that Mr. Muhammad functions at the low end of the Average range of intelligence. There is no evidence to indicate that intellectual functioning will be a significant issue with regard to his competency to stand trial.

MENTAL STATUS EXAMINATION:

Mr. Muhammad is a male with good personal hygiene. He wore a jail issue jumpsuit. He had well maintained hair and nails. He talked in a conversational and respectful manner during the interview. He engaged well in the interview. He demonstrated a normal level of eye contact and psychomotor activity. He spoke in a normal rate and tone. He responded to questions directly and in a clear, understandable manner. Mr. Muhammad neither reported nor demonstrated symptoms of psychosis, such as paranoia or hallucinations. He voiced no delusional thoughts. He reported no thoughts of harming himself. Based on interactions and general level of vocabulary used in the interview, Mr. Muhammad demonstrated his intelligence to be in the Average range of intellectual functioning.

On 7/12/10, I administered the Folstein Mini-Mental State Examination to Mr. Muhammad, a structured interview that looks for significant defects in an individual's orientation, concentration, attention, language abilities and abilities to reproduce drawings. He participated and provided a fair effort. He scored in the normal range with a score of 25 points out of a possible 27, missing two point on concentration tasks. (Three tasks requiring the use of his hands were not asked of him due to him remaining in wrist shackles during the interview.)

EXAMINATION OF FITNESS TO PROCEED:

On 7/12/10, I administered the Georgia Court Competency Test - Mississippi State Hospital Revision (GCCT-MSHR) to Mr. Muhammad. The GCCT-MSHR is a structured interview that assists in the assessment of a defendant's understanding of the trial process and issues related to his own defense. A score of 70 is considered passing. Mr. Muhammad provided appropriate answers and obtained a passing score of 100 out of 100.

Mr. Muhammad identified a picture of a courtroom and identified the locations of the following courtroom participants: judge, jury, defendant, defendant's attorney, prosecuting attorney, testifying witness and audience.

Mr. Muhammad described the role of the judge during the trial as, "Judge the trial. Depends if it's a bench or jury trial. The jury decides guilty or innocent if jury trial. The judge decides if bench trial." He described the role of the jury during a trial as, "Decide if guilty or innocent if jury trial." He described the role of the defendant's lawyer during a trial as, "Defend me from death penalty. Defend my case." He described the role of a testifying witness during a trial as, "Testify to what they knew, heard, or seen.

Specifically, regarding the case, offense, or things the defendant knew." He described the role of the audience during the trial as, "Just witness the case. Spectate." He described the role of the defendant during a trial as, "I won't do anything. Maybe take the stand. Just sit there and make sure lawyer won't say what I do."

Mr. Muhammad identified his attorney by name and described him as a private attorney hired by his parents. He stated that he could contact him by calling or writing a letter. He described how he could assist his lawyer. He stated, "By giving facts of what happened. Give facts of what didn't happened and how I feel toward the government." He named his charge as, "Capital Murder, Attempted Capital Murder, Unlawful Discharge from a Vehicle, Aggravated Assault, and Terroristic Threatening." He described a possible sentence if convicted as, "Death Penalty."

The defendant stated that his family initially hired Jim Hensley as the lawyer to represent him for the alleged charges. Mr. Muhammad reported that Mr. Hensley "was saying stuff to the media that was not true, stuff I didn't tell him." For example, he said the attorney told the media he had been beaten in a Yemen prison. Mr. Muhammad stated that he asked his family to fire that attorney and hire a different attorney. The defendant stated that he planned on working with his present attorney to defend himself in court. He said, "We started off on a good foot. My only defense, I wanted to plea guilty. They caught me red handed. But I am forced to go to trial. It's the only way." He continued, "It's not federal. [They're] making the state pick it up. The prosecutor is not offering a plea. He is seeking the death penalty."

The defendant also described other possible pending legal charges against him. He described attempting to fire bomb a prominent jewish rabbi's home in Tennessee with a Molotov cocktail. He stated, "I expect a federal case because it was multi-state."

When asked to describe the alleged offenses he gave concise and consistent answers. He stated that at his last court appearance he had his next court appointment rescheduled to August 17 to review the results of this evaluation.

FORENSIC OPINIONS:

OPINION ON THE CURRENT MENTAL CONDITION OF THE DEFENDANT:

Mr. Muhammad did not have any mental illness at the time of the alleged crimes or this evaluation.

Based on the above, he has no diagnoses:

Axis I: None
Axis II: None
Axis III: None

OPINION ON THE DEFENDANT'S CAPACITY TO UNDERSTAND THE PROCEEDINGS AGAINST HIM AND TO ASSIST EFFECTIVELY IN HIS OWN DEFENSE: It is my opinion that, at the time of this examination, the defendant had an understanding of the proceedings against him and had the capacity to effectively assist his attorney.

Mr. Muhammad participated in this assessment appropriately. He comprehended questions asked of him and followed instructions. He demonstrated a good understanding of legal proceedings, evidenced by conversations, responses and passing scores on the Georgia Court Competency Test – Mississippi State Hospital Revision. He related to the examiner in a rational and controlled manner. Mr. Muhammad had a good understanding of the roles of the participants in the courtroom. Based on this data, a number of conclusions can be drawn:

1. He had the ability to effectively assist counsel, evidenced by his ability to cooperate with examinations performed at the Arkansas State Hospital.
2. He had sufficient present ability to consult with his attorney with a reasonable degree of understanding.
3. He had the capacity to disclose to his attorney available pertinent facts surrounding the alleged offenses.
4. He had the capacity to make decisions in response to well-explained alternatives.
5. He had the capacity to recall and relate facts pertaining to his actual whereabouts at certain times.
6. He had an understanding of the proceedings against him.
7. He had the ability to consider the potential consequences of several options, to make judgments about the desirability and probability of those consequences, and to compare them.
8. He had an ability to appreciate the range and nature of the possible penalties he faces.

OPINION ON THE PRESENCE OR ABSENCE OF MENTAL DISEASE OR DEFECT AT THE TIME OF THE ALLEGED OFFENSES: It is my opinion that at the time of the alleged conduct, should the fact finder conclude that Mr. Smith committed the alleged offenses, he did not have a mental disease or a mental defect. This opinion is based on the following information:

1. Based on my examination, the defendant did not have a substantial disorder of thought, mood, perception, orientation or memory that grossly impaired

judgment, behavior, capacity to recognize reality or ability to meet the ordinary demands of life at the time of the alleged offenses, indicating no mental disease.

2. Based on Mr. Muhammad's educational history, IQ testing and participation in this evaluation, he had a level of intelligence in the average range, indicating no mental defect.

OPINION ON THE DEFENDANT'S CAPACITY TO APPRECIATE THE CRIMINALITY OF HIS CONDUCT AT THE TIME OF THE ALLEGED OFFENSES: It is my opinion that at the time of the alleged conduct, **Capital Murder and Attempted Capital Murder (CR 09-2626), Aggravated Assault (CR 10-1233), and Terroristic Threatening 1st Degree (CR 10-1232)**, should the fact finder conclude that Mr. Muhammad committed the alleged offenses, he did not lack the capacity to appreciate the criminality of his conduct. This opinion is based on the following information:

1. At the time of the alleged conduct, Mr. Muhammad had no mental disease or defect that would have rendered him incapable of appreciating his actions as unlawful.
2. At the time of the alleged incident, Mr. Muhammad demonstrated that he appreciated that stabbing a person could result in that person's death. Witnesses at the scene reported that after attempting to stab the officer he said, "I got you white boy, you gonna die." At the time of this evaluation, Mr. Muhammad stated that he attempted to stab the officer in order to kill him.
3. Mr. Muhammad reported that he did the alleged crimes as part of a Jihad against American soldiers. The defendant based his actions on his understanding of his religious obligations. He formulated his religious beliefs by reading the Koran, studying in organized religious centers, and talking to others that held similar and differing religious beliefs. His beliefs were not secondary to psychosis or delusions. Mr. Muhammad had a long history of acting in violent manner prior to the alleged offenses. Participating in the alleged activities as part of a Jihad is a rational explanation for his actions not related to mental disease or defect.
4. The defendant reported that he attempted to avoid detection of authorities in efforts to avoid arrest. For example, he bought weapons from individuals to avoid the background check. He bought a .22 rifle from Wal-Mart in an effort to determine if the FBI was monitoring him. The defendant's efforts to avoid authorities and resulting arrest demonstrated that he had the capacity to appreciate the criminality of his actions at the time of the alleged crimes.
5. Immediately after the alleged offenses, Mr. Muhammad reported that he fled the scene with the goal of changing vehicles to avoid arrest. Mr. Muhammad's efforts to avoid capture and arrest indicated he appreciated the illegality of his actions.

OPINION ON THE DEFENDANT'S CAPACITY TO CONFORM HIS CONDUCT TO THE REQUIREMENTS OF THE LAW AT THE TIME OF THE ALLEGED OFFENSES:

It is my opinion that at the time of the alleged conduct, **Capital Murder and Attempted Capital Murder (CR 09-2626), Aggravated Assault (CR 10-1233), and Terroristic Threatening 1st Degree (CR 10-1232)**, should the fact finder conclude that Mr. Muhammad committed the alleged offenses, he did not lack the capacity to conform his conduct to the requirements of the law. This opinion is based on the following information:

1. At the time of the alleged conduct, Mr. Muhammad did not have mental disease or defect that would have rendered him incapable of conforming his actions to lawful requirements.
2. Mr. Muhammad demonstrated that he had the ability to control his behaviors at the time of the alleged offense of Aggravated Assault as evidenced by his ability to make a shank from objects available to him in jail, wait approximately two weeks until he had an opportunity to reach the officer, and wait until the specific officer he targeted opened the flap door to his cell.
3. Mr. Muhammad prepared for the alleged offenses over an extended period of time. He saved money for gas, bought ammo and guns as his finances allowed, made Molotov cocktails, and practiced using the weapons. The defendant's capacity to develop a plan, prepare in a focused manner for a notable period of time, and then attempt to implement the plan according to his preparations demonstrated that he had the capacity to control his actions. Thus, he had the capacity to conform his actions to the requirements of the law at the time of the alleged crimes.
4. The defendant stated that he shot the soldiers "not due to mental illness, but due to obligation. It is a religious belief." Mr. Muhammad stated that his actions were secondary to theological views and not secondary to mental disease or defect.

Respectfully,



R. Clint Gray, M.D.
Forensic Psychiatrist
Arkansas State Hospital

46

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Arkansas State Hospital
 Forensic Services
 ATTN: Billy Burris
 305 South Palm
 Little Rock, AR 72205-5432

60CR2010-1232 4/22/10

2. Article Number

(Transfer from service label)

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PS Form 3811, February 2004

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X *Harry Cassey*

- Agent
- Addressee

B. Received by (Printed Name)

Harry Cassey

C. Date of Delivery

D. Is delivery address different from item 1?

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If YES, enter delivery address below:

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3. Service Type

- Certified Mail
- Registered
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- C.O.D.

4. Restricted Delivery? (Extra Fee)

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60CR-10-1232 601-60100005054-038
 STATE V ABDULHAKIM MUJAHID MU 1 Page
 PULASKI CO 07/21/2010 11:48 AM
 CIRCUIT COURT FI55R

FILED 07/21/10 11:48:48
 Pat O'Brien Pulaski Circuit Clerk
 YM

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS

FOURTH DIVISION

STATE OF ARKANSAS

V.

60CR-10-1232

ABDULHAKIM MUHAMMAD
FULL NAME OF DEFENDANT

7-9-85
DATE OF BIRTH

M
SEX

B
RACE

TERRORISTIC THREATENING 1ST DEGREE
OFFENSE CHARGED

FILED 07/09/10 14:21:32
Pat O'Brien Pulaski Circuit Clerk
DRS

JOHN JOHNSON
PROSECUTOR'S NAME & ADDRESS

PATRICK BENCA
DEFENSE ATTORNEY'S NAME & ADDRESS

AMENDED ORDER FOR MENTAL HEALTH EVALUATION OF DEFENDANT

On the Motion of Defense Counsel, or upon reason to believe that mental disease or defect will become an issue in the cause, this Court orders:

- 1. That subject to the provisions in Ark. Code Ann. Sec. 5-2-305 all proceedings in the prosecution shall be immediately suspended.
- 2. That the defendant shall undergo examination by:

_____ a) One or more qualified psychiatrists or qualified psychologists at a designated receiving facility who has successfully completed a forensic certification course approved by the Department of Human Services(name, address and phone number of psychiatrist/psychologist)

_____ b) One or more qualified psychiatrists who has successfully completed a forensic certification course approved by the Department of Human Services and who is practicing within the Arkansas State Hospital: (name, address and phone number of psychiatrist)

_____ c) To be determined by the Director of the Division of Mental Health Services of the Department of Human Services;

d) Committing him to the Arkansas State Hospital for a period not to exceed 30 days,

3. The person/institution designed above to conduct the examination shall provide a report to this Court which shall include the following:

- a) A description of the nature of the examination;
- b) A diagnosis of the mental condition of the defendant: (check if needed). Include intelligence quotient of Defendant;
- c) An opinion as to this capacity to understand the proceedings against him/her and to assist effectively in his/her own defense;
- d) An opinion as to the extent, if any to which the capacity of the Defendant to appreciate the criminality of his conduct r to

Conform his/her conduct to the requirements of law was impaired at t he time of the conduct alleged;

(check if needed) _____ e) If directed by the court, an opinion as to the capacity of the Defendant to have the culpable mental state that is required to establish an element of the offense charged; and

f) If the examination cannot be conducted because of the unwillingness of the Defendant to participate therein, the report shall so state and shall include, if possible an opinion as to whether such unwillingness of the Defendant is a result of mental disease or defect.

3. The report may include a separate explanation reasonably serving to clarify the diagnosis or the examiner's opinion.

4. All public agencies are hereby ordered to make all existing medical pertinent records available for inspection and copying to the Examiners and counsel.

5. The examiner shall mail a copy of the report to the defense attorney and prosecuting attorney and shall file a copy with the clerk of the court.

IT IS SO ORDERED

[Signature]
Signature of Judge

(Print judge's name)

Date



60CR-10-1232 601-60100004575-032
STATE V ABDULHAKIM MUJAHID M 2 Pages
PULASKI CO 07/09/2010 02:29 PM
CIRCUIT COURT OR58

Send copy to: Billy Burris, DHS, 4313 W. Markham, Little Rock, AR 72205

7009 2680 0001 8362 4564

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DEFENSE ATTORNEY:

In The Circuit Court of Pulaski County, Arkansas

Fourth Division

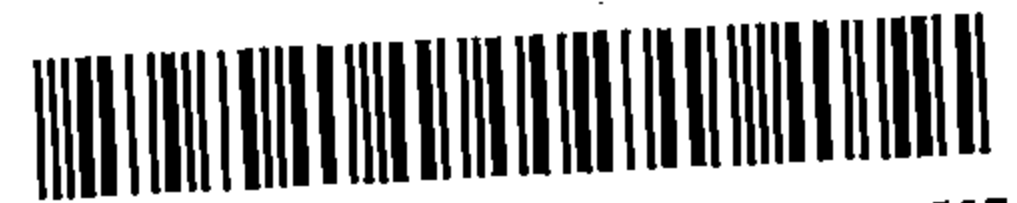
**401 W. Markham
Suite 440 • Little Rock, AR
(501) 340-8593**

STATE OF ARKANSAS

vs. No. 10-1823
Abdulhakim Mujaheed 09-2024
10-1232
10-1233

We wish to advise that in the above case _____,
charging the offense of _____,
has been set for 9:30 AM in the 4th Division, Circuit Court,
Pulaski County, Little Rock, Arkansas, on August 17, 2010,
at 9:30 AM.

Please be notified that your presence is required.



60CR-10-1232 601-60100004446-035
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 07/07/2010 10:50 AM
CIRCUIT COURT FI589

COPY TO

- Defendant's Attorney
- Defendant
- Prosecutor
- Bonding Company

**HERBERT T. WRIGHT, JR.
CIRCUIT JUDGE**

7/10/10

**CRIMINAL DOCKET
OFFICE OF THE CIRCUIT CLERK
STATE OF ARKANSAS
PULASKI COUNTY CIRCUIT COURT**

HON. HERBERT WRIGHT - 4TH
DIVISION 6TH CIRCUIT
ABDULHAKIM MUJAHID MUHAMMAD
AKA - CARLOS BLEDSOE
12201 MARALYNN RD #4205
LITTLE ROCK, AR 72211
BLACK / M DOB: 07/09/1985

60CR-10-1232

ID: 930317050
AD: 13-APR-2010
FD: 26-APR-2010

Presumptive Sentence _____
Seriousness Level of Offense _____
Criminal History Score _____


Custody Status: JAIL
Bond Amount: \$
Counts: 1 Charges: 5-13-301(a)
1ST DEGREE
Habitual:

TERRORISTIC THREATENING -

ATTORNEY: _____

OMNIBUS HEARING: _____ TIME: _____ JURY TRIAL: _____ TIME: _____
MOTION CUT-OFF: _____ BENCH TRIAL: _____ TIME: _____ ATTY: _____

DATE	REGISTER OF ACTIONS
4-27-10	D present PDC stands in Ark will Appx Court \$ 100
	with Act III Mysak Report 7-7-10 530 ST
4-7-10	D present by Atty 1 year 8-17-10 5H


60CR-10-1232 601-60100010774-009
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 07/07/2010 08:18 AM
CIRCUIT COURT ZDOCK



**Division of Behavioral
Health Services**

Arkansas State Hospital
305 S. Palm St. • Little Rock, AR 72205-4096
501-686-9000 • TDD: 501-686-9176



REQUEST FOR FORENSIC EVALUATION EXTENSION

May 10, 2010

Honorable Herbert Wright
Division 4
401 West Markham, Room 440
Little Rock, AR 72204

FILED 05/13/2010 12:26:21
Pat O'Brien Pulaski Circuit Clerk
D110

RE: ABDULHAKIM MUHAMMAD
COUNTY: PULASKI
CR#: 2009-2626 / 2010-1232 / 2010-1233
DATE OF COURT ORDER: 04/30/10

Dear Judge Wright:

The Division of Behavioral Health Services (DBHS) received the case file and court order for the forensic evaluation on the above named individual. In order to complete the evaluation the DBHS Director is requesting an extension as specified in the terms of the ACLU settlement agreement. The extension is being requested based on the filing date of the order and the date received.

If you have any questions, please do not hesitate to give me a call at (501) 686-9174.

Sincerely,

Billy Burris
Director of Forensic Services

BB:tld

Cc: Pulaski County Circuit Clerk
David Laffoon, DBHS Director
Steven Doman, M.D., Medical Director
Laurence Miller, M.D., DBHS



60CR-10-1232 601-60100002796-040
STATE V ABDULHAKIM MUJAHID M 2 Pages
PULASKI CO 05/13/2010 03:18 PM
CIRCUIT COURT FIA6

4th DIVISION

STATE OF ARKANSAS

v.

CR 10-1233

Abdulhakim Muhammad

7-9-85
DATE OF BIRTH

M
SEX

B
RACE

Aggravated Assault
OFFENSE CHARGED

FILED 04/30/2010 14:28:30
Pat O'Brien Pulaski County Clerk
D11

John Johnson
PROSECUTOR'S NAME & ADDRESS

Patrick Benca
DEFENSE ATTORNEY'S NAME & ADDRESS

ORDER FOR MENTAL HEALTH EVALUATION OF DEFENDANT

On the Motion of Defense Counsel, or upon reason to believe that mental disease or defect will become an issue in the cause, this Court orders:

1. That subject to the provisions in Ark. Code Ann. Sec. 5-2-305 all proceedings in the prosecution shall be immediately suspended.
2. That the defendant shall undergo examination by:

 a) One or more qualified psychiatrists or qualified psychologists at a designated receiving facility who has successfully completed a forensic certification course approved by the Department of Human Services (name, address and phone number of psychiatrist/psychologist)

 b) One or more qualified psychiatrists who has successfully completed a forensic certification course approved by the Department of Human Services and who is practicing within the Arkansas State Hospital: (name, address and phone number of psychiatrist)

 c) To be determined by the Director of the Division of Mental Health Services of the Department of Human Services;

 d) Committing him/her to the Arkansas State Hospital or other suitable facility; (specify facility and address)

for a period not to exceed 30 days, or for a long period as determined by the Court, as follows:

3. The person/institution designed above to conduct the examination shall provide a report to this Court which shall include the following:
 - a) A description of the nature of the examination;
 - b) A diagnosis of the mental condition of the defendant: (check if needed). Include intelligence quotient of Defendant;
 - c) An opinion as to this capacity to understand the proceedings against him/her and to assist effectively in his/her own defense;
 - d) An opinion as to the extent, if any to which the capacity of the Defendant to appreciate the criminality of his conduct or to conform his/her conduct to the requirements of law was impaired at the time of the conduct alleged;

(check if needed) e) If directed by the court, an opinion as to the capacity of the Defendant to have the culpable mental state that is required to establish an element of the offense charged; and

 f) If the examination cannot be conducted because of the unwillingness of the Defendant to participate therein, the report shall so state and shall include, if possible an opinion as to whether such unwillingness of the Defendant is a result of mental disease or defect.

3. The report may include a separate explanation reasonably serving to clarify the diagnosis or the examiner's opinion.

4. All public agencies are hereby ordered to make all existing medical pertinent records available for inspection and copying to the Examiners and counsel.

5. The examiner shall mail a copy of the report to the defense attorney and prosecuting attorney and shall file a copy with the clerk of the court.

IT IS SO ORDERED

[Signature]
Signature of Judge

Hub Wiggins
(Print judge's name)

4-29-10
Date

RECEIVED

MAY 07 2010

ARKANSAS STATE HOSPITAL
FORENSIC UNIT

YM

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Arkansas State Hospital
 Forensic Services
 ATTN: Billy Burris
 305 South Palm
 Little Rock, AR 72205-5432

60CR 2010-1232

Hm Dr

2. Article Number

(Transfer from service label)

7009 2250 0003 1975 4325

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Fanny Casey*

Agent

Addressee

B. Received by (Printed Name)

Fanny Casey

C. Date of Delivery

5/9

D. Is delivery address different from item 1?

Yes

If YES, enter delivery address below:

No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes



60CR-10-1232 601-60100002683-010
 STATE V ABDULHAKIM MUJAHID MU 1 Page
 PULASKI CO 05/06/2010 03:55 PM
 CIRCUIT COURT FI55R

FILED 05/06/10 16:57:31
 Pat O'Brien Pulaski Circuit Clerk
 YM

4th DIVISION

STATE OF ARKANSAS

v.

CR 10-1232

Abdulkhkim Muhammad

7-9-85
DATE OF BIRTH

M
SEX

B
RACE

Terroristic Threatening 1st Degree
OFFENSE CHARGED

FILED 04/30/2010 14:25:57
Pat O'Brien Pulaski County Clerk
D11

John Johnson
PROSECUTOR'S NAME & ADDRESS

Patrick Benca
DEFENSE ATTORNEY'S NAME & ADDRESS

ORDER FOR MENTAL HEALTH EVALUATION OF DEFENDANT

On the Motion of Defense Counsel, or upon reason to believe that mental disease or defect will become an issue in the cause, this Court orders:

- 1. That subject to the provisions in Ark. Code Ann. Sec. 5-2-305 all proceedings in the prosecution shall be immediately suspended.
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b) One or more qualified psychiatrists who has successfully completed a forensic certification course approved by the Department of Human Services and who is practicing within the Arkansas State Hospital: (name, address and phone number of psychiatrist)

c) To be determined by the Director of the Division of Mental Health Services of the Department of Human Services;

d) Committing him/her to the Arkansas State Hospital or other suitable facility; (specify facility and address)

for a period not to exceed 30 days, or for a long period as determined by the Court, as follows:

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- a) A description of the nature of the examination;
- b) A diagnosis of the mental condition of the defendant: (check if needed). Include intelligence quotient of Defendant;
- c) An opinion as to this capacity to understand the proceedings against him/her and to assist effectively in his/her own defense;
- d) An opinion as to the extent, if any to which the capacity of the Defendant to appreciate the criminality of his conduct or to conform his/her conduct to the requirements of law was impaired at the time of the conduct alleged;

(check if needed) e) If directed by the court, an opinion as to the capacity of the Defendant to have the culpable mental state that is required to establish an element of the offense charged; and

f) If the examination cannot be conducted because of the unwillingness of the Defendant to participate therein, the report shall so state and shall include, if possible an opinion as to whether such unwillingness of the Defendant is a result of mental disease or defect.

3. The report may include a separate explanation reasonably serving to clarify the diagnosis or the examiner's opinion.

4. All public agencies are hereby ordered to make all existing medical pertinent records available for inspection and copying to the Examiners and counsel.

5. The examiner shall mail a copy of the report to the defense attorney and prosecuting attorney and shall file a copy with the clerk of the court.

IT IS SO ORDERED

Signature of Judge

[Handwritten Signature]

(Print judge's name)

Hubb Wright

Date

4-29-11



60CR-10-1232 601-60100002609-005
STATE V ABDULHAKIM MUJAHID M 2 Pages
PULASKI CO 04/30/2010 04:22 PM
CIRCUIT COURT OR58

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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Here

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Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

7009 2250 0003 1975 4325 5225 5161 0000 0525 6000

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FOURTH DIVISION

STATE OF ARKANSAS

PLAINTIFF

VS.

CR 10-1232

ABDULHAKIM MUHAMMAD

DEFENDANT

FILED 04/30/10 14:12:21

Pat O'Brien Pulaski Circuit Clerk
DRS

STATES DISCOVERY MOTION

The State of Arkansas, by the Prosecuting Attorney, moves the Court for an order requiring the defense to submit to discovery by the State of the following:

1. The Prosecuting Attorney should be informed of and permitted to inspect and copy or photograph any reports or statements of experts which are made in connection with this case, including the results of physical or mental examinations and of scientific tests, experiments, or comparisons. Ark. Rule Crim. P. Rule 18.2.

2. The Prosecuting Attorney is specifically requesting the nature of any defense which the defendant intends to use at trial and the names and addresses of persons whom the defense counsel intends to call as witnesses in support thereof. Ark. Rule Crim. P. 18.

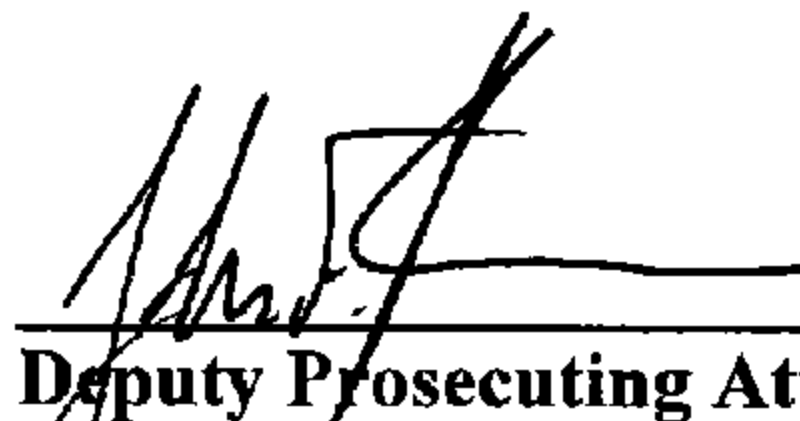
3. Ark. Rule Crim. P.18.3, Mitchell v. State, 306 Ark. 464 (1991), and Tubbs v. State, 19 Ark. App. 306 (1986). The State of Arkansas reserves its right to move that any witness not disclosed as soon as practicable be barred from testifying.

4. The Prosecuting Attorney specifically requests this motion be treated as continuing pursuant to Rule 19.2, of the Arkansas Rules of Criminal Procedure.

WHEREFORE, The State's Discovery Motion should be granted, and the defense should provide the State with the required information.

Certificate of Service


This is to certify that I have this 30TH day of April, 2010, served counsel for all parties in the foregoing matter a copy of this pleading by depositing same in the U.S. Mail, postage prepaid.



Deputy Prosecuting Attorney

Respectfully Submitted,

LARRY JEGLEY
Prosecuting Attorney
Sixth Judicial District

By: 
Deputy Prosecuting Attorney
122 South Broadway
Little Rock, AR 72201
(501) 340-8000

PREPARED: 4/29/10

60CR-10-1232 601-60100002452-032
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 04/30/2010 07:50 AM
CIRCUIT COURT MN70

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FOURTH DIVISION

STATE OF ARKANSAS

PLAINTIFF

VS.

CR 10-1232

ABDULHAKIM MUHAMMAD

DEFENDANT

RESPONSE TO DISCOVERY MOTION

FILED 04/30/10 14:12:17

Pat O'Brien Pulaski Circuit Clerk

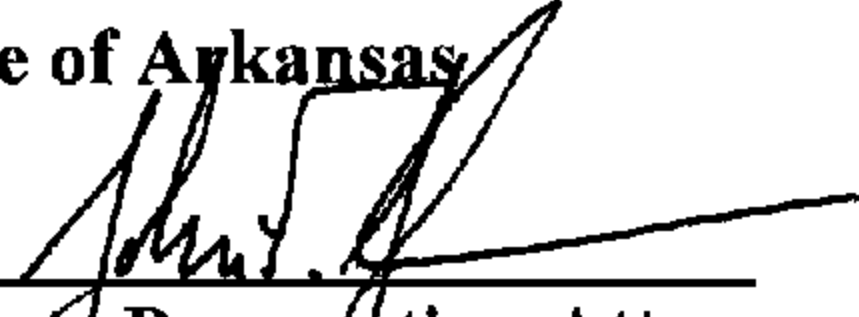
DBS


Come now the State of Arkansas by Larry Jegley, Prosecuting Attorney, and its response, states:

1. It is the long-standing practice of the Prosecuting Attorney of the Sixth Judicial District to have an "open file" policy whereby defense attorneys can inspect the entire file upon three days notice up to three days prior to trial.

2. The "open file" policy satisfies the Prosecuting Attorney's discovery obligations, pursuant to Rule 17.2(b) Arkansas Rules of Criminal Procedure.

Respectfully Submitted,
LARRY JEGLEY
Prosecuting Attorney
Sixth Judicial District
State of Arkansas

By: 
Deputy Prosecuting Attorney
122 South Broadway
Little Rock, AR 72201


60CR-10-1232 601-60100002452-031
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 04/30/2010 07:49 AM
CIRCUIT COURT FICO

**OFFICE OF THE PROSECUTING ATTORNEY
CERTIFICATE OF SERVICE**

This is to certify that I have this 30TH day of April, 2010, served counsel for all parties in the foregoing matter a copy of this pleading by depositing same in the United States Mail, postage prepaid.


Deputy Prosecuting Attorney

PREPARED: 4/29/10

405
⑥

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FOURTH DIVISION**

STATE OF ARKANSAS

v.

**No. CR2010-1232
CR2010-1233**

PLAINTIFF
FILED /04/28/10 09:33:37 PH
Pat O'Brien Pulaski Circuit Clerk
CR01

ABDULHAKIM MUHAMMAD

DEFENDANT

MOTION FOR DISCOVERY

Defendant moves for discovery pursuant to the Arkansas Rules of Criminal Procedure and the Constitutions of the United States and the State of Arkansas whether the information sought is in the possession of the Prosecuting Attorney, ACIC, NCIC, Arkansas State Crime Lab, a Drug Task Force, or any other police or law enforcement agency (A. R.Crim.P. 17.3). Accordingly, the State should provide the following:

1. The names and addresses of persons whom the state intends to call as witnesses at any hearing or trial sufficiently in advance of that hearing or trial to permit preparation. A. R.Crim.P. 17.1(a)(i).
2. Any written or recorded statements or the substance of any oral statements made by defendant or a codefendant or a potential codefendant or any one given legal or de facto immunity to provide information or testimony. A. R.Crim.P. 17.1(a)(ii). This includes statements intended to be used as admissions. A.R.E. 801(d).
3. Any reports or statements of experts in this case, includes the results of



60CR-10-1232 601-60100002353-026
STATE V ABDULHAKIM MUJAHID M 6 Pages
PULASKI CO 04/28/2010 04:50 PM
CIRCUIT COURT MN70

any physical or mental examinations, scientific tests, experiments, or comparisons. A R.Crim.P. 17.1(a)(iv).

4. Any books, papers, documents, computer records, photographs, video tapes, or tangible objects, including any recreations, whether generated animations or whatever, which the state intends to use at any hearing or trial in this case or which were obtained from or belong to the defendant. A. R.Crim.P. 17.1(a)(v).

5. Further, the state should provide similar disclosure of anything that it does not intend to use at any hearing or trial in this case because its non-use indicates a great potential that it is Brady material. *Brady v. Maryland*, 373 U.S. 83 (1963).

(a) Defendant specifically requests production of the notes of the officers from which reports in the file were produced. Those notes commonly include information about the leads that did not pan out and people talked to that may have known something else.

(b) The State must make a specific request for production of these notes from the officers because it will not be in an "open file", and a discovery response that merely directs defense counsel to come and copy their file does not comply with this request.

6. Any record of prior convictions of any person who may be called as a witness at any stage of this proceeding whether presently known or capable of being ascertained by an ACIC or NCIC check. A. R.Crim.P. 17.1(a)(vi).

7. Any inducements, promises of leniency, consideration (financial or otherwise) or anything else that is potential impeachment evidence against a confidential informant or any other witness. A. R.Crim.P. 17.1(b)(iii), (d); *Brady v. Maryland*, supra; *Kyles v. Whitley*, 514 U.S. 419 (1995); *Strickler v. Greene*, 527 U.S. 263 (1999); Arkansas Rules of Professional Conduct, Rule 3.8(d), including any written or oral agreements or any documentary evidence concerning an informant or “cooperating individual” that:

(a) provides for leniency, protection from arrest, prosecution, or forfeiture, sentencing recommendations, or anything of the kind from any past, present, or future criminal acts;

(b) provides for payment of anything of value for his or her services including proof of payment, IRS 1099s for their payments, informant’s tax returns;

(c) proof or summaries of the payments to the informant.

(d) Any psychiatric or drug rehabilitation history of informants.

8. The relationship between the state and any witness the state will call as a witness; e.g., employee of any governmental entity, informant status, witness in this or another case, a defendant or formal defendant in a criminal case in district, circuit, or federal court. A. R.Crim.P. 17.1(b)(iii).

9. Whether there has been any electronic (including audio, video, or digital) Surveillance or recording of conversations of the defendant (including surreptitious recordings of him while in a police interview room) statements or his or her premises,

copying of e-mail or similar electronic transmissions, consented to by one party to the conversation or not: A. R.Crim.P. 17.1(b)(ii); along with a description of the recording and copies of any transcripts.

10. As to any searches and seizures:

(a) Disclose and permit inspection, copying, or photocopying of documents of any material or computer or computer-like memory, disks, or hard drives concerning any searches and seizures of the defendant or his or her property or statements that he or she allegedly made. A. R.Crim.P. 17.1©.

Copying computer disks and hard drives requires copying “invisible” files that are not visible on the directory but which are still present on disks.

(b) If a search warrant was relied upon, provide a copy of: (i) the warrant, (ii) all materials used to obtain the warrant, and (iii) the inventory.

(c) If inventory search may be relied on as a justification for the search, please provide the police department’s policy on conducting inventory searches because it is the state’s burden to justify the search.

11. As to impeachment (“Brady”) evidence:

(a) Any other evidence or thing in the knowledge of possession, or control of the state (A. R.Crim.P. 17.3) or its agents which tends to negate the guilt of the defendant as to the offense charged (including anything which tends to impeach a state’s witness) or would tend to reduce the punishment for the offense.

A. R.Crim.P. 17.1(d): *Brady v Maryland*, supra: *Kyles v. Whitley* supra; *Strickler*

v. *Greene*, supra: Arkansas Rules of Professional Conduct, Rule 3.8(d).

(b) Impeachment evidence includes statements of witnesses where they are even slightly inconsistent in their versions of events from one statement to the next (oral statement to written; two written statements; etc.). *Strickler v. Greene*, supra; *Kyles v. Whitely*, 514 U.S. at 452 (even if statements of not all witnesses are impeachable); *United States v. Sudikoff*, 35 F. Supp.2d 1196 (C.D.Cal. 1999).

(c) This includes any evidence that anyone else was at one time considered a suspect. *Fairchild v. Lockhart*, PB-C-83-272 (E.D.Ark.).

(d) The prosecuting attorney has a duty to inquire of the police to be certain that all potentially discoverable “Brady” material has been discovered, provided to the prosecutor by the police, and disclosed. *Kyles*, 514 U.S. at 437-38 (Brady includes material known by the police and not the prosecutor; “the individual prosecutor has a duty to lean of any favorable evidence known to others acting on the government’s behalf in this case, including the police.”)

(e) Negative evidence; e.g., as the results of any type of scientific test that failed to connect the defendant to the crime such as absence of fingerprints, physical, or serological evidence or presence of such evidence of another. *Patler v. Slayton*, 503 F.2d 472 (4th Cir. 1974).

(f) The fact that a witness has testified falsely even in an unrelated case. *United States v. Mastir*, 547 F.2d 932 (5th Cir. 1977).

12. Any 404(b) evidence; A.R.E. 404(b); which the state intends to or may use against the defendant.

13. Any evidence which could be used in the punishment phase against the defendant under Ark. Code Ann. §16-97-103.

14. While it goes without saying that parties have a continuing duty to disclose material that comes into the party's hands after a previous disclosure (A.R.Crim.P. 19.2), defendant reasserts this right.

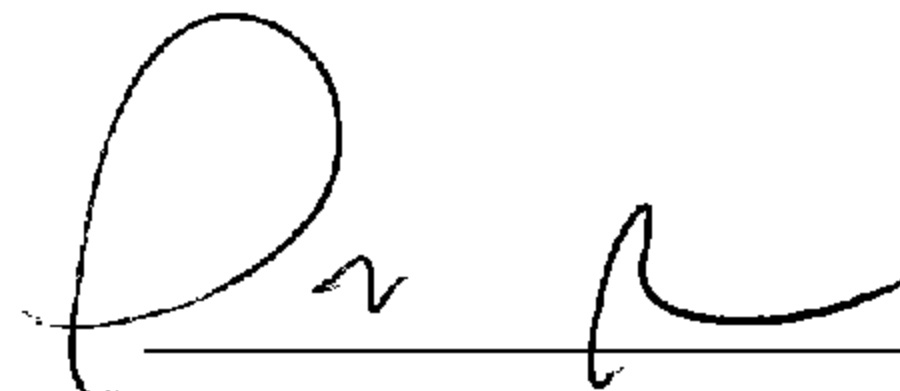
Respectfully submitted,



Patrick J Benca
AR Bar no. 99020
1311 Broadway
Little Rock, AR 72202
(501) 371-9131/fax (501) 378-0888
e-mail: PJbenca@AOL.com
Attorney for Defendant

CERTIFICATE OF SERVICE

I certify that a copy was faxed or hand delivered to the Prosecuting Attorney's Office on April 27, 2010.



Patrick J Benca

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FOURTH DIVISION

FILED /04/28/10 09:33:59 PH
Pat O'Brien Pulaski Circuit Clerk
CR01

STATE OF ARKANSAS

PLAINTIFF

Case No. CR2010-1232
CR2010-1233

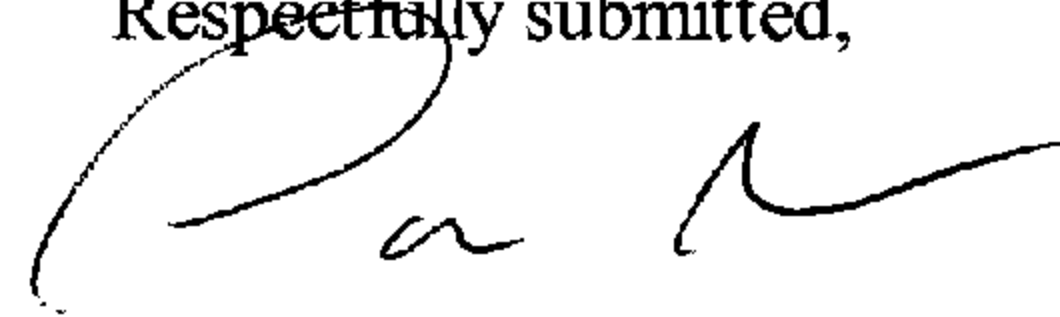
ABDULHAKIM MUHAMMAD

DEFENDANT

ENTRY OF APPEARANCE

The undersigned enters his appearance as defendant's co-counsel of choice under the Sixth Amendment to the U.S. Constitution and Ark. Const., Art. 2 10.

Respectfully submitted,



Patrick J. Benca
AR Bar No. 99020
1311 Broadway
Little Rock, AR 72202
(501) 371-9131 / fax (501) 378-0888
email: PJBenca@aol.com
Attorney for the Defendant

60CR-10-1232 601-60100002428-034
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 04/28/2010 07:53 AM
CIRCUIT COURT FI60

CERTIFICATE OF SERVICE

I certify that a copy was faxed or mailed to the Office of the Prosecuting Attorney on April 27, 2010.



Patrick J. Benca

**Public Defender User Fee
Provided by Act 1564 of 1999
As amended by Act 1765 of 2003**

County Pulaski Judicial District 6th Court Jurisdiction: District
Circuit
Juvenile
Case Number 10-1232 Defendant Abdulkam Muhammad

Is Defendant Released on Bond? Y/N Bond Amount _____ 

Is Defendant Employed? Y/N Defendant's yearly income _____ 60CR-10-1232 601-60100002325-016

Employer's Name _____ PULASKI CO 04/27/2010 11:59 AM

Amount User Fee Assessed \$109.00 Public Defender _____ CIRCUIT COURT 0900M

Rob Wright, Jr. Judge Date Assessed 4-27-10

- Instructions:**
- 1) Defendant - **Take this form to Sheriff, Clerk or other Collection Official. Payment should be made immediately.**
 - 2) Collecting official should remit money received to the Arkansas Public Defender Commission, 101 East Capitol, Suite 201, Little Rock, Arkansas 72201
 - 3) Collecting officer should notify the local Public Defender of payments monthly.

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS

4th

DIVISION

STATE OF ARKANSAS

PLAINTIFF

DOCKET NUMBER(S)
& CHARGE(S)

VS.

DEFENDANT

CR-10-1232

Abdulhakim
muhammad

AFFIDAVIT OF INDIGENCY AND ORDER APPOINTING COUNSEL

The above named defendant, being first duly sworn, states on oath that he is without funds and unable to employ counsel, and requests the Court to appoint counsel to represent him on the charge(s) set out above, and in regard to his financial status, gives the following answers.

- 1. Are you presently employed? Yes No
 - (a) If the answer is yes, state your salary of wages, and give the name and address of your employer.
 - (b) If the answer is no, state the date of last employment and the salary and wages which you received.

- 2. Have you received within the past 12 months any money from any of the following sources:
 - (a) Business, profession or any form of self-employment? Yes No
 - (b) Rent payments, interest or dividends? Yes No
 - (c) Pensions, annuities or life insurance payments? Yes No
 - (d) Gifts or inheritances? Yes No
 - (e) Any other sources? Yes No

If the answer to any of the above is yes, describe each source of money and state the amount received from each during the past 12 months

- 3. Do you own any cash, or do you have money in a checking or savings account? Yes No

If the answer is yes, state the total amount of each account.

OVERSEAS acct \$500

- 4. Do you own any real estate, stocks, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No

If the answer is yes, describe the property and state its approximate value.

- 5. List all debts and expenses you have:

student loans \$16,000

- 6. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

0

A FALSE STATEMENT AS TO FINANCIAL STATUS SHALL BE PUNISHABLE BY A SENTENCE IN THE STATE PENITENTIARY OF NOT LESS THAN THREE (3) NOR MORE THAN TEN (10) YEARS AND A FINE OF UP TO TEN THOUSAND DOLLARS (\$10,000)

STATE OF ARKANSAS }
COUNTY OF PULASKI } ss.

Subscribed and sworn to before me this _____

My Commission Expires: _____

60CR-10-1232 601-5010002325-017
 STATE V ABDULHAKIM MUJAHID MU 1 Page
 PULASKI CO 04/27/2010 11:59 AM
 CIRCUIT COURT FI2A

X AAH/L
 Signature of Defendant
 3201 W. Roosevelt
 Address LP, AR 72201 no phone
 Phone

day of _____
Notary Public

ORDER

The Court now finds that the defendant is unable to obtain effective representation of counsel without substantial financial hardship to himself or family; therefore, IT IS ORDERED that William R. Simpson, Jr., Public Defender, be and is hereby appointed to represent said defendant before the Court in all matters pertaining to the above referenced charge(s).

W. R. Simpson, Jr.
 Judge
 4-27-10
 Date

DEFENSE ATTORNEY:

In The Circuit Court of Pulaski County, Arkansas

**Fourth Division
401 W. Markham
Suite 440 • Little Rock, AR
(501) 340-8593**

STATE OF ARKANSAS

vs.
Abdulhakim Mujaheed

No. 10-1232 / 233

60CR-10-1232 601-60100003765-020
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 04/27/2010 11:46 AM
CIRCUIT COURT HS95

We wish to advise that in the above case _____,
charging the offense of _____,
has been set for R 10 in the 4th Division, Circuit Court,
Pulaski County, Little Rock, Arkansas, on 7/7/10,
at E

Please be notified that your presence is required.

- COPY TO
- Defendant's Attorney
 - Defendant
 - Prosecutor
 - Bonding Company

HERBERT T. WRIGHT, JR.
CIRCUIT JUDGE

4-27-10

**CRIMINAL DOCKET
OFFICE OF THE CIRCUIT CLERK
STATE OF ARKANSAS
PULASKI COUNTY CIRCUIT COURT**

HON. HERBERT WRIGHT - 4TH
DIVISION 6TH CIRCUIT
ABDULHAKIM MUJAHID MUHAMMAD
AKA - CARLOS BLEDSOE
12201 MARALYNN RD #4205
LITTLE ROCK, AR 72211
BLACK / M DOB: 07/09/1985

60CR-10-1232

ID: 930317050
AD: 13-APR-2010
ED: 26-APR-2010

Custody Status: JAIL
Bond Amount: \$

Counts: Charges:
1 5-13-301(a)
1ST DEGREE
Habitual:

TERRORISTIC THREATENING -

Presumptive Sentence _____
Seriousness Level of Offense _____
Criminal History Score _____

ATTORNEY: _____



60CR-10-1232 601-60100002513-035
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 04/27/2010 08:23 AM
CIRCUIT COURT ZDOCK

OMNIBUS HEARING: _____ TIME: _____ JURY TRIAL: _____ TIME: _____
MOTION CUT-OFF: _____ BENCH TRIAL: _____ TIME: _____ ATTY: _____

DATE	REGISTER OF ACTIONS
5/4-27-10	D present PDC stands in Ark will Appx Court \$ 100
	with Act III Muzak Report 27-10 830 STI

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
HON. HERBERT WRIGHT - 4TH DIVISION 6TH CIRCUIT

BENCH WARRANT

CRIMINAL DIRECT FILED

Total Bond to Collect:

Case Number: 60CR-10-1232

Warrant No.: 60CI-10-1893

Date Printed: April 26, 2010



The State of Arkansas, To Any Law Enforcement Officer in the State:

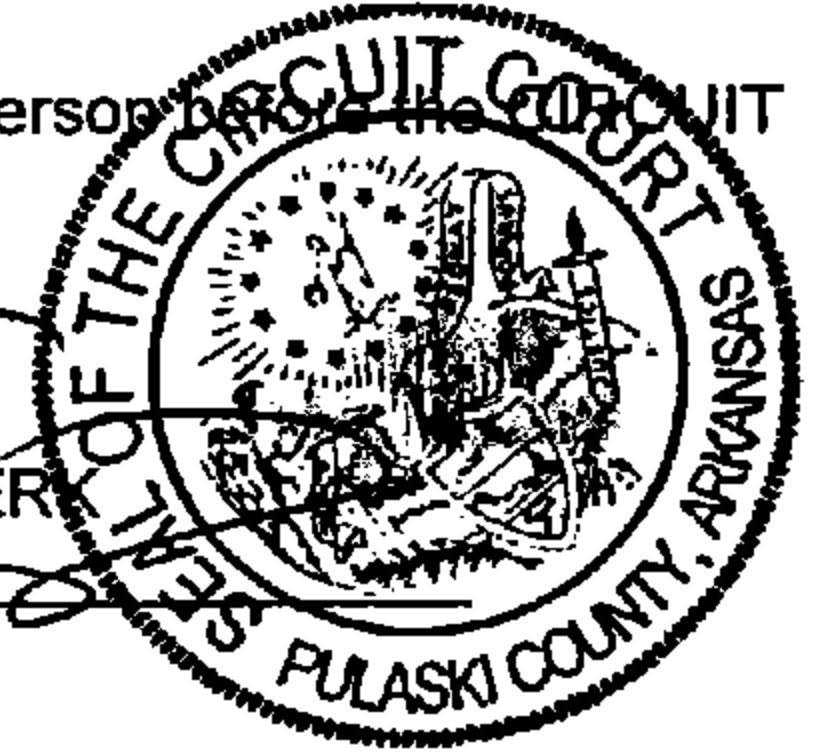
IT APPEARING that there are reasonable grounds for believing that **ABDULHAKIM MUJAHID MUHAMMAD** has committed the following offenses:

Counts **Violations**
1 5-13-301(a) TERRORISTIC THREATENING - 1ST
 DEGREE
A(AN) CLASS D FELONY
VIOLATION DATE: 13-APR-10 - -

in the County of PULASKI, you are hereby commanded to arrest and bring the above named person before the CIRCUIT COURT OF PULASKI COUNTY.

Given under my hand and seal of said court this April 26, 2010.

PAT O'BRIEN, CIRCUIT CLERK
BY: *Ron*



BOND SET \$1000.00 SURETY

Defendant's Last Known Address:
ABDULHAKIM MUJAHID MUHAMMAD
12201 MARALYNN RD #4205
LITTLE ROCK AR 72211

Sex: M Race: BLACK
Height: 6'0"
Weight: 185 lbs.
Eye color: BROWN Hair color: BLACK
D.L. State: AR D.L. Number: 930317050
Date of Birth: 07/09/1985
SID Number: 3390862
System ID: 930317050

WARRANT RETURN

BOND POSTED:\$ _____ CASH RECOGNIZANCE PROF 10%

I certify that I have served the within warrant of arrest on the _____ day of _____, 20____, at _____

- by: taking into my custody the within named **ABDULHAKIM MUJAHID MUHAMMAD** .
 delivering a copy of this warrant of arrest to the within named **ABDULHAKIM MUJAHID MUHAMMAD** personally and releasing the accused upon promise to appear in the CIRCUIT COURT OF PULASKI COUNTY on the court date stated herein.
 Warrant returned unexecuted
 Warrant recalled



60CR-10-1232 601-60100002291-009
STATE V ABDULHAKIM MUJAHID M 8 Pages
PULASKI CO 04/26/2010 10:04 AM
CIRCUIT COURT CR15

Arresting Officer and Agency _____
SID Number: _____
Arrest Tracking Number: _____

**COVER SHEET
STATE OF ARKANSAS
CRIMINAL INFORMATION**

This criminal information cover sheet or the standard criminal information form is required by Supreme Court Administration Order Number 8 to be completed for every defendant and filed by the prosecutor. The data contained herein shall not be admissible as evidence in any court proceeding or replace or supplement the filing and service of pleadings, orders, or other papers as required by law or Supreme Court rule.

County **PULASKI** District **Sixth** Case Number
 Judge Division Filing Date

Style of Case **State of Arkansas v. Abdul Hakim Muhammad**

Prosecutor Providing Information:

Is This an Amended Information	<input type="checkbox"/> Yes	Is D being charged as a Habitual?	<input type="checkbox"/> Yes
If Yes, are you		Are multiple D's Charged in the information?	<input type="checkbox"/> Yes
Adding Offense(s)?	<input type="checkbox"/> Yes	Is victim under the age of 14?	<input type="checkbox"/> Yes
Dropping Offense(s)?	<input type="checkbox"/> Yes		
Changing Offense(s)?	<input type="checkbox"/> Yes		

CO-Defendants:

Defendant's Full Name	Date of Birth	Race	Sex	SID#	Arrest Date
Abdul Hakim Muhammad	7/9/1985	B	Male	3390862	4/13/2010

Address (Street, City, State, Zip)	SS#	Driver's License No.
12201 Mara Lynn #4205 Little Rock, AR 72205		AR 930317050
	Arrest Tracking #	Prosecutor's File
		1740

KNOWN ALIASES:
Carlos Bledsoe

The attached information accuses the above named defendant of the following crime(s):

Code #	Offense	A/C/S	Offense Date	Counts	F/M	Class
5-13-301	TERRORISTIC THREATENING IN THE FIRST DEGREE		4/13/2010	1	F	D

Circuit Clerk/Deputy Clerk



Prosecuting Attorney/Deputy Prosecuting Attorney

60CR 09-2626 4m

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
44 DIVISION

STATE OF ARKANSAS

PLAINTIFF

VS

CR

ABDUL HAKIM MUHAMMAD
AKA CARLOS BLEDSOE

60CR-10-1232

DEFENDANT

FILED 04/26/10 10:04:47
Pat O'Brien Pulaski Circuit Clerk
DRS

FELONY INFORMATION
COUNT 1

Larry Jegley, Prosecuting Attorney of the Sixth Judicial District of Arkansas, in the name, by the authority, and on behalf of the State of Arkansas, charges ABDUL HAKIM MUHAMMAD AKA CARLOS BLEDSOE with the crime of violating ACA § 5-13-301 TERRORISTIC THREATENING IN THE FIRST DEGREE committed as follows, to wit: The said defendant(s), in Pulaski County, on or about April 13, 2010, unlawfully, feloniously, with the purpose of terrorizing another person, did threaten to cause death or serious physical injury to DEP BRANDON HUFF, against the peace and dignity of the State of Arkansas.

Larry Jegley
Prosecuting Attorney

By: 
Deputy Prosecuting Attorney

Prosecutor Number: 1740

INFORMATION OF DEFENDANTS

Abdul Hakim Muhammad
AKA Carlos Bledsoe

7/9/1985

12201 Mara Lynn #4205
Little Rock, AR 72205

Custody Status	:	Pulaski County Jail
Bond Recommended	:	\$1,000.00
Bond Amount	:	---
Bond Type	:	Speed Letter
SID #	:	3390862
Arrest Date	:	4/13/2010
Arrest Tracking #	:	---
Race	:	B
Gender	:	Male

Jail Disposition Notice

Pulaski County District Court
3001 W. Roosevelt
Little Rock, Arkansas 72204
(501) 340-6832

Court Activity Date: 04/15/10
Court Activity Time: 08:30 AM
Court Activity Type: Jail Docket

Defendant: Muhammad, Abdul Hakim
12201 Mara Lynn #4205
Little Rock, Arkansas 72205

Party Nr: 642999

DOB: 07/09/85
Race: Black
Sex: Male

DL: AR / 930317050
SSN: ████████-1353
Employer:

<u>Case #</u>	<u>Plea</u>	<u>Offense</u>	<u>Fined</u>
CR-10-3055		(1st) Terroristic Threatening 2nd Degree B Misd	

Special Instructions: PNIG PFD \$1000 Bond Set

Bond: \$1000 Cash
Surety
Personal Recognizance

Next Court Date: 6/17/10
Time: 1:30

Release, After Processing, If No Other Holds: _____

Upon Release Report To Court Clerks Office: _____

COMMITMENT

If Defendant Is Committed On Above Fines - Please Use This As The Commitment.

Fines: _____ Give Credit Time Served Toward Fine Since Intake Date.

Sandra C.
Court Clerk

**ARKANSAS CRIME INFORMATION CENTER
ARKANSAS ARREST / DISPOSITION REPORT**

DEFENDANT IDENTIFICATION		Arresting Agency Name PCRDF		NCIC Code
Name Last	First	Middle		
Muhammad	Abdulhakim			
Aliases Carlos Bledsoe				
Street Address 2201 Mara Lynn #4205		Phone No.		
City & State Little Rock AR		Zip 72211		
Social Security No.		Driver License No./State 930-31-7050		
Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Race <input type="checkbox"/> White <input checked="" type="checkbox"/> Black <input type="checkbox"/> American Indian or Alaskan Native <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Unknown	Ethnicity <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Not Hispanic	Date of Birth mo. 07 day 09 yr. 85	Age 23
Place of Birth Tennessee				
Hair BLK	Eyes Bwn	Weight 185	Height 600	Scars and Marks
Complexion		Build Large	Employer/Occupation	
Name of Nearest Relative Melvin Bledsoe		Phone No. (901) 292-3499		
Street Address 4800 Aspen		City, State, Zip Memphis TN		

ARREST PLEASE PRESS HARD - You are making five copies

Place of Arrest PCRDF		Arresting Officers Sgt Bump					
Date of Arrest 4-13-10	Time of Arrest 1050	Offense No. 10-7531	Agency Received From	Agency Transferred to FEL			
No.	Computer USE-SRN	Case/Docket No.	Statute No.	Counts	Charge Desc.	Law Enforcement Action	Date of Action
1			5-13-301	1	Terr Threat		
2					(Fingerprint before Release)		
3							
4							

Facts of Arrest (Explain in Detail) Fingerprint Card Yes No More Charges? Yes No

At approximately 1050 hours, I was in the lower front sub-day, where Muhammad is housed in U-323. Inmate Muhammad began yelling very loudly stating, "you're done you red neck ass motherfucker, I'm gonna kill your bitch ass, I'm gonna find something better than a piece of motherfucking glass, you punk ass white boy. I'm gonna stab you in the motherfucking heart. You bitch, I'm gonna kill you. I'm gonna get you better than I got Greenwald, I'm gonna stab you in the motherfucking heart."

Complainant and Witness Names		Address		Right Thumb Print
Complainant Deputy Huff	Home 300	Business 3001 W Roosevelt Rd CR, AR 72204		
Witness TRH	Home	Business		

60CR 09-2626 4m

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
44 DIVISION

STATE OF ARKANSAS

PLAINTIFF

VS

CR

ABDUL HAKIM MUHAMMAD
AKA CARLOS BLEDSOE

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FILED 04/26/10 10:04:47
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Larry Jegley
Prosecuting Attorney

By: 
Deputy Prosecuting Attorney

Prosecutor Number: 1740

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Abdul Hakim Muhammad
AKA Carlos Bledsoe

7/9/1985

12201 Mara Lynn #4205
Little Rock, AR 72205

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Bond Amount	:	---
Bond Type	:	Speed Letter
SID #	:	3390862
Arrest Date	:	4/13/2010
Arrest Tracking #	:	---
Race	:	B
Gender	:	Male

PCG 10-1134

MM

**ABDULHAKIM MUJAHID
MUHAMMAD**

ID: 930317050
AD: 13-APR-2010

AKA - CARLOS BLEDSOE
12201 MARALYNN RD #4205
LITTLE ROCK, AR 72211
BLACK / M DOB: 07/09/1985

FD: 26-APR-2010

Custody Status: JAIL

Bond Amount: \$

Counts: Charges:
 1 5-13-301(a)

TERRORISTIC THREATENING - 1ST DEGREE

Habitual:

_____ OMNIBUS HEARING : _____ TIME: _____ JURY TRIAL: _____ TIME: _____

_____ MOTION CUTOFF: _____ BENCH TRIAL: _____ TIME: _____ ATTY: _____

DATE	
4/2-2-11	Arrest report 2-9-11 83054

60CR-10-1232 601-60100022409-003
STATE V ABDULHAKIM MUJAHID MU 1 Page
PULASKI CO 01/01/1950 02:58 PM
CIRCUIT COURT ZDOCK

CRIMINAL DOCKET
 OFFICE OF THE CIRCUIT CLERK
 STATE OF ARKANSAS
 PULASKI COUNTY CIRCUIT COURT

Abdulhakim
 Muhammad
 10-1232

Presumptive Sentence _____
 Seriousness Level of Offense _____
 Criminal History Score _____

ATTORNEY: _____

OMNIBUS HEARING: _____ TIME: _____ JURY TRIAL: _____ TIME: _____
 MOTION CUT-OFF: _____ BENCH TRIAL: _____ TIME: _____ ATTY: _____

(RW)

DATE	REGISTER OF ACTIONS
1-5-11	A present with a motion to proceed pro se
	with drawn Inquiry made on record

