

Oregon, and in Seattle, Washington, and (4) evidence seized from the Finsbury Park Mosque and Abu Hamza's residence in London. (Br. 99-100). Because this evidence bore directly on Abu Hamza's guilt of the crimes charged and was not unfairly prejudicial in light of the offense conduct, the District Court did not err, much less abuse its discretion, by admitting this evidence.

A. Relevant Facts

The evidence that Abu Hamza contends was improperly admitted was the subject of extensive pre-trial litigation. Before trial, the Government produced an exhibit list to Abu Hamza and the District Court, which contained the exhibits that are the subject of this appeal—namely audio and videotapes, photographs and other documentary evidence that did not explicitly refer to the charged conduct. Abu Hamza objected to these exhibits. The District Court held argument during two lengthy hearings on April 9 and 10, 2014. See *United States v. Mostafa*, 16 F. Supp. 3d 236, 248 (S.D.N.Y. 2014). The parties also submitted briefing on the subject. (Dkt. 290, 301)

In a detailed and thorough 47-page opinion, the District Court preliminarily ruled, after carefully balancing the evidence, that the bulk of the Government's evidence was admissible, subject to the proper foundation being laid at trial.⁷ In general, the District Court

⁷ The District Court ruled GX119, GX 127, GX 128, GX 129, and GX 131 preliminarily inadmissible.

