



UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

Case No. 8:07-Cr-342-T-23MAP

YOUSSEF SAMIR MEGAHED

DEFENDANT'S SECOND MOTION IN LIMINE TO EXCLUDE EVIDENCE

COMES NOW, the Defendant, YOUSSEF SAMIR MEGAHED, by and through undersigned counsel and pursuant to Federal Rules of Evidence 401, 402, and 403, and hereby moves this Honorable Court for an Order excluding the following evidence. In support of his motion, the Defendant shows as follows:

Mr. Megahed is charged, along with Mr. Mohamed, with knowingly transporting and causing to be transported in interstate commerce, explosive materials, without being licensees or permittees under the provisions of Chapter 40 of Title 18, United States Code, in violation of Title 18, United States Code, Sections 842(a)(30(A) and 2.

It is anticipated the government will argue at trial that a surreptitiously recorded backseat conversation between Mr. Megahed and Mr. Mohammed while en route to the Berkeley County Detention Center provides evidence of Mr. Megahed's knowledge of the items in question.

On March 27, 2008, the government provided the defense with a revised and updated transcript of the conversation recorded during transport of the defendants on August 4, 2007. The defense has also had prepared a transcript using an independent Arabic interpreter. The



conversation appears to last approximately 25 minutes. Both transcripts consist of seven and a half pages of text, double spaced. The government's transcript consists of 115 entries while the defense transcript consists of 81 entries. According to the government's translator, there are 90 unintelligible portions, 36 of which consist of entire sentences. The defense translator discovered only 62 inaudible portions. In comparing the two transcripts side by side, there are 33 entries on the defense's version and 65 entries on the government's version which differ. *See* Appendix A. Although portions of Mr. Mohamed's statements may be trustworthy and relevant, such as his admissions to knowledge, possession and ownership of the items seized from the trunk, as well as making clear Mr. Megahed's lack of involvement, the majority of the inaudible portions relate to Mr. Megahed's statements.

As such, Mr. Megahed submits that the audio recording is inaudible, unintelligible and, thus, unreliable and out of context and must be prohibited from introduction into evidence in the government's case-in-chief. In the alternative, the audible, complete, and in-context statements by Mr. Mohamed may be admitted, as long as the out-of-context, extraneous portions of Mr. Megahed's responses are redacted.

MEMORANDUM OF LAW

_____ I. Tapes and Transcripts

_____ The initial question in admitting taped recordings into evidence requires proof of the competence of the tape machine operator, the fidelity of the equipment, the absence of any alterations and the identity of the speakers. *United States v. Richardson*, 764 F.2d 1514 (11th Cir. 1985). The trial court has broad discretion to allow tapes into evidence



without such a showing by the offering party, so long as there is independent assurance of the accuracy. *United States v. Shabazz*, 724 F.2d 1536 (11th Cir. 1984).

_____A court may, under some circumstances, employ transcripts to assist the jury in following a tape-recorded conversation. *United States v. Ruppel*, 666 F.2d 261 (5th Cir. 1982). Transcripts must be properly authenticated before they can be admitted. *United States v. Sutherland*, 656 F.2d 1181 (5th Cir. 1981). To authenticate transcripts, they must be shown to be an accurate reproduction of the matter recorded. *Id.* The parties may stipulate to the accuracy of a transcript. *United States v. Llinas*, 603 F.2d 506 (5th Cir. 1979). It is not a necessary predicate for admission of transcripts of tape recordings that each officer who prepared the transcript testify to its accuracy. *United States v. Green*, 40 F.3d 1167 (11th Cir. 1994). However, when there is a dispute about the accuracy of the transcripts, the district court and the parties should make an effort to produce an official or stipulated transcript that satisfies all sides. If such a transcript cannot be produced, then each side should produce its own version of a transcript or its own version of the disputed portions. In addition, each side may introduce evidence supporting the accuracy of its version or challenging the accuracy of the other side's version. Since the jury must always reconcile the discrepancies in the transcripts against the recording itself, the district court need not listen to the tape or decide whether a transcript is accurate before the transcript is given to the jury and the recording is played. *United States v. Hogan*, 986 F.2d 1364 (11th Cir. 1993); *United States v. Garcia*, 854 F.2d 1280 (11th Cir. 1988)(where defendant does not submit an alternative transcript, he may challenge the accuracy of the government's version through cross-examination of



government witnesses, but the court may still offer transcript to the jury with the admonition that the tape is the primary evidence). The same rule applies when transcripts reflect a translation of a foreign language taped conversation. *United States v. Cruz*, 765 F.2d 1020 (11th Cir. 1985).

Transcripts are evidence admissible to assist the jury in identifying speakers and, absent anything more than a generalized claim of prejudice, the appellate court will not find error in the transcripts being allowed in the jury room. *United States v. Nixon*, 918 F.2d 895 (11th Cir. 1990); *United States v. Brown*, 872 F.2d 385 (11th Cir. 1989). The *Nixon* court also approved the jury instruction which accompanies the use of transcripts, which explains that the tapes are the original evidence, and the jury must decide if the content of the conversation was accurately transcribed. The burden is on the proponent of the transcript to introduce some evidence showing that the transcripts are accurate, that the words are accurately reproduced, and the voices accurately identified. *United States v. Rochan*, 563 F.2d 1246, 1251 (5th Cir. 1977). Moreover, it follows from this general rule that, when transcripts contain a translation into English conversations that are spoken in a foreign language, the proponent must introduce the testimony of a qualified witness to authenticate and verify the translation. *United States v. Llinas*, 603 F.2d 506, 509 n. 3, 510 (5th Cir. 1979) *cert. denied*, 444 U.S. 1079, 100 S.Ct. 1030, 62 L.Ed.2d 762 (1980). Claims that transcripts are not “actual evidence” but merely “aides” for the jury or preventing transcripts to be considered by jury during deliberations do not alleviate proponent’s burden. *See United States v. Sutherland*, 656 F.2d 1181, 1201 n. 15 (5th Cir. 1981) *citing United States v. Onori*, 535 F.2d



938, 947 (5th Cir. 1976)(“the use of a transcript as a guide is analogous to the use of expert testimony as a device aiding a jury in understanding other types of real evidence.”) In short, a transcript is evidence of what is recorded on the tape, just as the tape is evidence of what was said in the original conversation.

If there is a gap in the recording or an inaudible portion, the tape is still admissible unless the inaudible portion is so substantial that it renders the recording as a whole untrustworthy. *United States v. Lively*, 803 F.2d 1124 (11th Cir. 1986); *United States v. Pope*, 132 F.3d 684 (11th Cir. 1998)(Where a tape contains inaudible portions, the court should direct the deletion of the unreliable portion of the transcript, assuming that the unintelligible portions of the tape do not render the entire recording untrustworthy).

It is error to allow a disputed transcript to go to the jury if the defendant can establish either its inaccuracy or specific prejudice. *United States v. Wilford*, 764 F.2d 1493, 1503 (11th Cir. 1985). ____

II. Lack of Relevance (Fed.R.Evid. 401)

To be admissible, evidence must have the tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence. Fed. R. Evid. 401. The first step in a relevance analysis is to decide whether the trier of fact conceivably could be helped by the evidence. If not, the evidence must be excluded. *Id.*

In the instant case, the government must prove that Mr. Megahed knowingly transported the items in question and that the items were in fact explosive materials. None



of the above mentioned evidence relates to either of these elements nor would it be helpful in the determination of an issue in the dispute. Due to the fact that a large portion of the conversation is inaudible or unintelligible, thus making any translation disjunct and out-of-context, it is more apt to confuse the jury than assist them in resolving the issue of guilt in this case and must be excluded.

III. Undue Prejudice (Fed.R.Evid. 403)

Although Federal Rule of Evidence 402 makes all relevant evidence admissible, it is restricted by other rules or law. As such, even if this Court deems any or all the above listed evidence relevant, Rule 403 permits exclusion on the grounds of prejudice, confusion, or waste of time. Fed. R. Evid. 403. Rule 403 authorizes the exclusion of relevant evidence if the legitimate probative value of the evidence is substantially outweighed by the potential damage that the evidence might do to the orderly, efficient, and fair process of the trial. *Id.* As such, Rule 403 calls for a weighing or balancing judgment. Weighing probative value against unfair prejudice under Rule 403 means probative value with respect to a material fact if the evidence is believed, not the degree the court finds it believable. *Bowden v McKenna*, 600 F.2d 282, 284-285 (1st Cir. 1979), *cert. denied*, 444 U.S. 899, 100 S.Ct. 208, 62 L.Ed.2d 135 (1979). *Accord, Ballou v. Henri Studios, Inc.*, 656 F.2d 1147, 1154 (5th Cir. 1981).

Otherwise, relevant evidence may be excluded pursuant to Rule 403 if it would tend to distract the jury from the proper issues at hand or invoke the danger of misleading the jury by possibly causing the jury to attach undue weight to the evidence. Fed. R. Evid. 403.

Since the actual conversation is in Arabic, the jury would be relying solely on the



translations to establish what was said, thus, giving more weight to the transcripts than in the normal course. As such, their accuracy and completeness is essential. Since the transcripts in this case are neither complete nor accurate, any actual transcribed portions are out of context and the reliance by the jury on these portions alone is confusing and, thus, prejudicial.

WHEREFORE, Mr. Megahed respectfully moves this Honorable Court to enter its Order prohibiting the government from introducing in its case-in-chief the above stated evidence.

DATED this 17th day of April, 2008.

Respectfully submitted,

JAMES T. SKUTHAN
ACTING FEDERAL PUBLIC DEFENDER

/s/ Dionja L. Dyer

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Attorney for Mr. Megahed



CERTIFICATE OF SERVICE

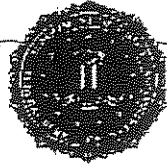
I HEREBY CERTIFY that this 14th day of April, 2008, a copy of the foregoing has been furnished by hand delivery to Jay Hoffer, Assistant United States Attorney, 400 North Tampa Street, Suite 3200, Tampa, Florida 33602.

/s/ Dionja L. Dyer

Dionja L. Dyer
Assistant Federal Public Defender



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION



5525 West Gray Street
Tampa, FL 33609 (813) 253-1000

File Number: 315N-TP-70338-CRIMINAL
Task Number: 872
Folder #: 070808251-Q4-Processed.wav
Date and Time: 5 August 2007
Source Language: Arabic
Target Language: English
Translated on: 11 March 2008
Translators: LA Marwan Khalil

VERBATIM TRANSLATION

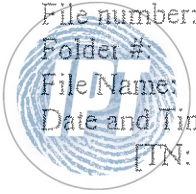
Participants:

Ahmed Mohamed	=	AM
Youssef Samir Megahed	=	YM
Officer, Troy Noble	=	TN

Abbreviations

UI	Unintelligible
IA	Inaudible
PH	Phonetic
[]	Translator's Notes
AH	As Heard
[sic]	Stated as is

APPENDIX "A"



File number: 315N-TP-70338-CRIMINAL
Folder #: 070808251-Q4
File Name: 071myk001.oth
Date and Time: 5 August 2007

[TN: Ahmad 'Abd-al-Latif Sharif ' Abdallah Muhammad romanizes his own name as Ahmed Abdellatif Sherif Abdallah Mohamed].

[TN: Yussif Samiir Mugahid romanizes his own name as Youssef Samir Mogahed].

[TN: Due to the bad quality of the recording, all efforts were exerted to render the best possible translation].

TN: *This is Troy Noble with the Naval Criminal Investigative Service. The following re-recording is made on August 5th, 2007.*

[Background noises].

[Phone ringing].

[Background voice over police radio].

TN: *Alright. Are you ready to move?*

[Conversation is muffled and hard to hear].

[Sound of a door opening or closing and a car driving].

[Background voice over police radio].

AM: *I'm still detained, not, not arrested. Correct?*

TN: *I just, I just... Scoot over for me let me put the seatbelt on you. At this time, you are being arrested.*

[Beeping noise].

[Driving sound].

[Beeping noise].

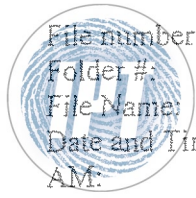
TN: *How you doing?*

AM: *Fine. What does NCIS stands for?*

TN: *Naval Criminal Investigative Services.*

AM: *Naval Criminal? One of my student [sic] in USF is from the Navy.*

TN: *Oh! Is that right?*



File number: 315N-TP-70338-CRIMINAL
Folder #: 070808251-Q4
File Name: 071myk001 oth
Date and Time: 5 August 2007
AM:

Yeah, and [SC] he gets sometimes, I would say, support from the Navy on certain things. I would say, bachelor, and on behalf of the Navy, he usually tells me to sign a sheet for him so that they can make sure that he's attending and making well in class - -

[SC]. [Background voice over police radio].

TN: *Comes to class? Very good. Where do you teach at?*

AM: *I'm teaching in USF, University of South Florida.*

TN: *South Florida?*

AM: *[UI] office. So basically, you are the guy who's gonna, I would say, interrogate me?*

TN: *Today?*

AM: *Yeah.*

[Background female voice over police radio].

YM: *Are we allowed to talk with each other?*

TN: *Just talk loud enough so we can hear you.*

YM: *What if we spe- speaak in Arabic.*

TN: *Don't say anything bad.*

AM: *No, we are not going to say anything bad.*

AM: *I mean, my Lord, O my Lord, this time eh... I heard that you were sleeping the whole time. They took one of them and they did to it... they made it burst [...]*

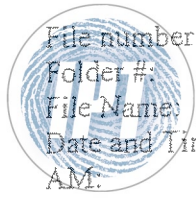
YM: *Did it work?*

AM: *It seems that it worked. The only time it worked is the time they did it.*

[Car driving noise and police radio conversation in the background].

AM: *That's it.*

YM: [UI].



File number: 315N-TP-70338-CRIMINAL
Folder #: 070808251-Q4
File Name: 071myk001.oth
Date and Time: 5 August 2007
AM:

There is nothing else. I told them the history of those of the, eh, the F, B, I [AH].
~~So, they started asking like, "What is on your computer?" They took my e-mail~~
to check on [UI]. So, I told them all my history [Background noises]. All the
countries I traveled to and why I traveled there and so...so...so. I talked with them
[UI] has anything to do with [UI]. [Car driving noise]. So, it is good that we [UI].
That is it. Anything else [UI - Car driving noise] fire works and I wanted to light
it up. [UI] the only thing.

YM: I told them... yes.

AM: What did you say?

YM: [UI].

AM: I didn't know what you told them. I don't know.

YM: [UI].

AM: What did I tell them? I told them that I didn't know what was in them. I don't
know. Did you tell them there is something in them?

YM: Water.

AM: What?

YM: Water.

AM: Water, correct? The other thing is the black water that it came out of the Pepsi.

YM: [UI].

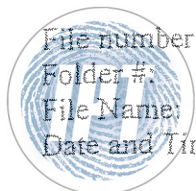
AM: What?

YM: Did you tell them about the gasoline?

AM: No. I didn't know. I told them that it's not yours and that you have nothing to do
with it and I was the one who made these fireworks and, and, and... Correct? I
mean, [UI] and with the will of Almighty God, [UI] and God willing, there is
nothing on you. I had told them that these things that he bought, which is the [UI],
these are the stuff that he bought [UI] and this filter [...]

YM: Uhum.

AM: ... these are the things that he uses to clean [UI]. He found them at Wal-Mart and
he was happy that he found them at Wal-Mart [...]



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Date and Time: 5 August 2007

YM: Umm.

AM: ... and he bought eh, these *bullets* are, eh... I mean, these things are, eh, permissible and, eh, he bought them, I mean, for his rifle. There is no problem. "The fireworks and anything else in the car?" I told them, "I don't know about these things, but this car is not mine, I was just driving it and I don't know what's in it." I told them and I assure them that you have nothing to do with the fireworks. That's it. So, be patient and with the will of Almighty God [...]

YM: Umm.

AM: ... and anything that will happen it will happen. And I, [UI] even [UI] and there is nothing. There is nothing. These fireworks are the same as anything else - -

YM: - - [UI].

AM: For what?

YM: It is for the inspectors. Did you tell them [UI] about your drill.

AM: Yes. I told them that I bought this drill to make this invention and to eh... I mean, I told them the truth, I mean. I said the truth in everything, because there is nothing.

YM: [UI].

AM: What?

YM: The drill.

AM: What?

YM: The drill.

AM: Yes. I told them this drill is mine and I brought it to make openings to bring out the holes to bring the fuse out. That's it. I was sleeping and I woke up all of a sudden [UI].

YM: [UI].

AM: Look here! All that has happened is decreed by God. We have been stopped because we were driving fast and whatever. I told the man all these things. Thanks to God. God willing, things will end up fine. What did we do? The most



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important thing is not to hurt yourself or anyone else, and it's the same for me.
~~God willing it will pass and would be fine.~~

YM: [UI sentence].

AM: [UI].

YM: [UI sentence] what happened [UI sentence] these things [UI]. Did you say these things?

AM: Uhum.

YM: Because I [UI].

AM: I told him, I mean... He told me, "Why did you bring it with you?" [UI]. I told him, "I already told you that because I am looking for an open space." I told him, "I only did it twice before." The two times that I did this before, it was something simple and it has never worked. That's it.

YM: Did you tell him that it has never worked before?

AM: Yeah, it didn't work. I told him, I told him that I am taking it with me because it is my birthday.

[Car driving noise].

YM: [UI sentence].

AM: This guy thinks much of himself because he's the one who brought us.

YM: [UI sentence].

AM: [UI]. I told them, I don't know.

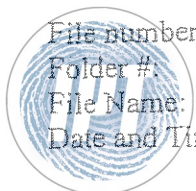
YM: [UI].

AM: It is the same idea. When they took the *computer* from you, [UI] were you watching anything?

YM: No, no, [UI].

AM: [UI] freedom [UI sentence] with me [UI]. I have a point of view [UI] my country and [UI sentence] everyone and my country [UI sentence]

YM: [UI sentence].



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AM: [UI] is that what he told you? [UI]

YM: [UI sentence]. Was the car [UI]?

AM: What are you saying?

YM: Did they [UI] the car?

AM: They [UI] the car and I don't know what, I mean, like a robot, like that, he started pulling things out, like one thing at a time. And then, if they found anything, [UI] don't worry, I mean, if they find anything in the car and we're in trouble, I mean, our Lord will take care of it. My Lord, [UI]. Before [UI sentence].

YM: Did anyone else talk to you other than the [UI]?

AM: Yes. They brought me the tape [UI].

YM: No, [UI sentence].

AM: What?

YM: [UI].

AM: [UI]. The same girl who was standing with you, she was standing with me talking. I mean, saying anything, talking none sense.

YM: Umm.

[Pause].

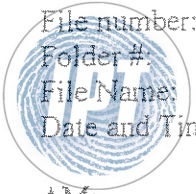
YM: [UI sentence].

AM: Yes. That's what I told them. I told them that [UI]. This is the first time in our life that [UI sentence]. The first time in my life [UI].

[Short pause].

AM: There is nothing. [UI]. That is what I told them that you have nothing to do with this. I've tried to do that three times before and failed, and since I've been looking for an empty space, like that, to try [UI sentence]. [UI sentence] because you bought a new [UI] and you brought it [UI sentence]. There is nothing [UI]. [UI]... Fine? Like that, you can [UI sentence].

YM: [UI sentence].



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AM: Yes, but [UI].

YM: [UI long sentence].

AM: [UI sentence] they rent it [UI sentence].

YM: [UI].

AM: Say that you [UI sentence].

YM: You know, he [UI sentence].

[Car driving noise].

YM: One will be waiting for his [UI sentence].

AM: Praise be to God. [SC]. We have to discuss this before, whether to take this [UI sentence] with us or not. Listen, [UI sentence].

YM: [UI sentence].

AM: Did he tell you what [UI sentence].

YM: [UI sentence]. I explained to him and told him that [UI sentence]. He didn't know anything.

AM: "Are you a Muslim?" I told him, "Yes." He asked me, "So or so or so..." I told him, "Muslim, and that's it." [UI sentence].

[Car driving noise].

[Radio beep].

YM: [UI sentence].

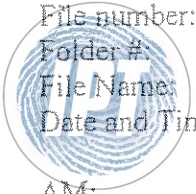
[Voices over the police radio].

AM: What did you say?

YM: [UI sentence]. It is one of those terrible times.

AM: Huh?

YM: Something that [UI sentence].



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AM: Umm.

[Pause].

AM: He asked me, "Where did you call?" I told him that their names are Ahmad and Muhammad. He asked me for their names and I told him that I don't know them, I mean, [UI sentence].

YM: Umm.

AM: I told him that I don't even know them.

[Beeping noise].

YM: I told him that we got the gas for the cars so it would be enough for our trip.

AM: Yes, exactly!

YM: [UI].

[Doors opening and closing].

[Unintelligible background conversation].

[Doors opening and closing].

[Long pause].

[Voices over the police radio].

[TN: The conversation after 25:00:00 is that of the police officer on his radio and it was not transcribed].



UM 1: Unknown Male
UM 2: Unknown Male.
UM 3: Unknown Male

[TN: The following is a verbatim transcript of an audio recorded during the transportation of 2 suspects. Some suspicious items were found in their car and they talking about the items. Most of the conversation between both subjects was inaudible. One of the subjects UM 3 had an extremely low voice and most of his conversation was inaudible, except for his last statement when leaving the police car. The second subject UM 2, was mostly audible, but in some instances his voice was not clear and at some sometimes he mumbled during his conversation. UM 2 was more optimistic about the outcome of the arrest.]
The conversation started between UM 1 and UM 2

UM1: How are you doing?

UM 2: Fine.

UM 2: What does NCIS means?

UM 1: Navy Criminal Investigation Services.

UM 2: Navy criminal investigation service, I had one of my student from the Navy had to [inaudible] something about per diem.

UM 1: Is that right? Where did you teach at?

Defense Translation



UM2: South FL.

[Then UM2 asked if they were allowed to talk to each other. An UM 1 answered him by saying that they are allowed as long as they can be heard. UM2 answered that their conversation will be in Arabic. UM 1 responded by telling Um 2 not to say anything bad].

UM 2: By Allah the time one would [inaudible]. I heard you were sleeping all the time.

UM 2: They took one of them and they did it. They blew it.

UM 3: Did it explode?

UM 2: It seems that it exploded. The only time it worked is the time they did it. That is computer, they asked about it. There is nothing else. I told them the history of my education and the FBI asked me about my... what was on it and asked about my email in order to check it, so that they can check things and so. I told them all my history [TN: background]. All the countries I traveled to and why I traveled there and so ... so ... so. I talked with them [inaudible].

UM 2: That is good.

UM 3: That is it. Something about military... [Inaudible].



UM 2: It seems that it exploded. The only time it worked is the time they did it. That is computer, they asked about it. There is nothing else. I told them the history of my education and the FBI asked me about my... what was on it and asked about my email in order to check it, so that they can check things and so. I told them all my history [TN: background]. All the countries I traveled to and why I traveled there and so ... so ... so. I talked with them [inaudible].

UM 2: That is good.

UM 3: That is it. Something about military... [Inaudible].

UM 2: What did you say?

UM 3: [Inaudible].

UM 2: I didn't know what they meant. I don't know.

UM 3: [Inaudible].

UM 2: What did you tell them? I told them that I didn't know what was in them. I don't know.

UM 3: Inaudible]

UM 2: What did you tell them? I told them that I didn't know what is in them. Did you tell them there is something in them?

UM 3: Water.

UM 2: Water! Right? The black water is in the [Inaudible]

UM 3: [Inaudible]

UM 2: What?

UM 3: Did you tell them about the benzene [gasoline]?

UM 2: I have nothing to do with it. I do the fireworks and so ... so ... so ... that is it...God willing

[Inaudible] ... and I told them that he bought these things [inaudible]. He bought a new rifle and he uses these things to clean with [TN: as cleaners]. And he bought them from Kmart [TN: as in the store]. One can



find all these things in Kmart. He also bought those bullets, these things are permissible, and he bought it for his rifle. There is no problem. The fireworks are mine. I don't know exactly what is in the car. They [TN: it is not clear who UM 2 was referring to] have bought some stuff, but this car is not mine, and I don't know and I didn't know what is in it [TN: the car]. I told them [inaudible]. That is it ... [Inaudible]. God almighty willing anything that will happen [Inaudible]. And 1, God willing, I don't have the intention to hurt anyone or [inaudible] on anyone's account ... I have nothing... These are fireworks.

UM 3: [Inaudible] by the way ... [inaudible].

UM 2: Then.

UM 3: [Inaudible].

UM 2: Yes. I told them that I bought this drill to make this invention and to make a hole ... [inaudible]. I mean I told them the truth. I mean I said the truth in everything, because there is nothing. What?

UM 3: Then the drill.... [inaudible].

UM 2: Yes. I told them this drill is mine and I used it to make an opening to bring out [inaudible] ... that is it... I was sleeping and I right away woke up

[inaudible] ... look here ... is that all that happened. We have been stopped because you were driving at the speed and whatever. I told the man all these things. Thanks to God ... God willing ... things will end up fine.



Most important is what was your intent, don't hurt yourself and don't hurt anyone else [inaudible].

UM 3: [inaudible] ... those of the State Investigators ... [inaudible].

UM 2: Why?

UM 3: [Inaudible]... these things.

UM 2: I told him, because he told me, why did you bring it with you while you were Traveling? I told him because I am looking for an open space. I told him I only did it twice ... it is something simple as so ... and it has never worked. That's it.

UM 3: He probably doesn't know [inaudible].

UM 2: [Inaudible] ... I told him that I am taking them with me ... and it is my birthday...

UM 3: [Inaudible].

UM 3: [Inaudible] ... he is the one who brought it. [Inaudible].

UM 2: [Inaudible] ... I told them I don't know.

UM 3: [Inaudible].

UM 2: But the idea is when they take a report from someone they [inaudible].

UM 3: [Inaudible].

UM 2: [Inaudible].



UM 3: [Inaudible] ... is that what he told you? ... [Inaudible].

UM 2: [Inaudible] ... what are you saying?

UM 3: [Inaudible].

UM 2: The car [inaudible] ... if there is something for me to get from the car [inaudible] ... but don't worry [inaudible].

UM 3: Did anyone else talk to you other than the State Investigators?

UM 2: Yes. There is nothing [inaudible].

UM 3: No ... no ... no....

UM 2: [Inaudible] ... for about 15 minutes that girl who was standing with you [inaudible].

UM 3: [Inaudible].

UM 2: That was the first time in my life this is what I told them [inaudible] ... don't worry ... [inaudible] ... I previously tried 3 before but they failed ... [inaudible] ... is that alright to go along with?

UM 3: [Inaudible].



UM 2: [Inaudible].

UM 3: [Inaudible].

UM 2: [Inaudible].

UM 3: [Inaudible].

UM 2: [Inaudible].

UM 2: By the praise of God ... we have to discuss this before we go to this thing.

UM 3: [inaudible].

UM 3: What else?

UM 2: [inaudible].

UM 2: He told me ...this is so ... and so ... and so...

UM 3: [Inaudible].

UM 2: What are you saying?

UM 3: [Inaudible].

UM 2: What?

UM 3: It is one of those terrible times.

UM 2: Hum.

UM 3: [Inaudible].



UM 2: [Mumbles] I told him ... whatever. I told them that their names are Ahmed and Mohammed. I told him that I don't know them ... [inaudible]. I told him I don't know anything about them.

UM 3: I told him that we got the gas for the cars, for our trip ... [inaudible].

UM 2: Yes ... exactly.

UM 3: [Inaudible].