

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

CRIMINAL NO. 2:10-CR-20005

HONORABLE NANCY G. EDMUNDS

UMAR FAROUK ABDULMUTALLAB,
Defendant.

**MOTION TO WAIVE PRESENCE OF DEFENDANT AT
PRETRIAL CONFERENCE ON JANUARY 12, 2011**

NOW COMES, the Defendant UMAR FAROUK ABDULMUTALLAB, (herein “Defendant ABDULMUTALLAB”), along with stand-by counsel Anthony T. Chambers, and moves this Honorable Court to allow him to waive his personal appearance at the Pretrial Conference on January 12, 2011. In support of said Motion, Defendant further states as follows:

- 1) That Defendant ABDULMUTALLAB is charged with a multiple count indictment with various offenses including Conspiracy to Commit an Act of Terrorism Transcending National Boundaries, Possession of a Firearm/Destructive Device in Furtherance of a Crime of Violence, Attempted Murder within the Special Aircraft Jurisdiction of the United States, Use and Carrying of a Firearm/Destructive Device During and in Relation to a Crime of Violence, Attempted use of a Weapon of Mass Destruction in violation of 18 U.S.C. §§ 2332b(a)(1) & 2332b(a)(2), 18 U.S.C. §§ 924(c)(1)(A) & 924(c)(1)(B)(ii) & 924(c)(1)(C)(ii), 18 U.S.C. § 1113, 49 U.S.C. § 46506 and 18 U.S.C. §2332a(a)(2).
- 2) That there is a Pretrial Conference scheduled in this matter for January 12, 2011 before this Honorable Court.

- 3) That Defendant ABDULMUTALLAB has discussed the potential issues which are likely to occur at the Pretrial Conference.
- 4) That the Defendant ABDULMUTALLAB and stand-by counsel have discussed many aspects of the case and the defense.
- 5) That for the purpose of setting dates, Defendant and counsel herein are jointly of the opinion that a substantial amount of time is necessary to prepare and present a defense.
- 6) That Defendant ABDULMUTALLAB is confident and satisfied that Attorney Anthony T. Chambers can adequately address all issues at the Pretrial Conference.
- 7) That the Defendant ABDULMUTALLAB has previously waived his speedy trial rights to allow for investigation, review and preparation of a defense.
- 8) That Defendant ABDULMUTALLAB continues to waive his speedy trial rights pursuant to 18 USC 3161, to allow a substantial period of time for investigation, review, preparation for a defense and/or trial.
- 9) That it is common practice in this District to waive the presence of the Defendant at the Pretrial Conference.
- 10) The waiving the Defendant's presence at the Pretrial Conference will save transportation/security cost.
- 11) The Defendant ABDULMUTALLAB is willing to waive speedy trial and any other concerns the Court may have in writing.

WHEREFORE, Defendant Umar Farouk Abdul Mutallab, respectfully requests that this Honorable Court waive his presence at the January 12, 2011 Pretrial Conference.

Respectfully submitted,

/s/ Anthony T. Chambers P38177

Attorney for Defendant

535 Griswold, Suite 1330

Detroit, MI 48226

(313) 964-5557

achamberslaw@gmail.com

Dated: January 10, 2011

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

CRIMINAL NO. 2:10-CR-20005

HONORABLE NANCY G. EDMUNDS

UMAR FAROUK ABDULMUTALLAB,
Defendant.

**BRIEF IN SUPPORT OF
MOTION TO WAIVE PRESENCE OF DEFENDANT AT
PRETRIAL CONFERENCE ON JANUARY 12, 2011**

NOW COMES, the Defendant UMAR FAROUK ABDULMUTALLAB, (herein “Defendant ABDULMUTALLAB”), along with stand-by counsel Anthony T. Chambers, and files the instant Brief in support. The facts are simply and specifically stated in the Motion.

Defendant ABDULMUTALLAB is charged with a multiple count indictment with various offenses including Conspiracy to Commit an Act of Terrorism Transcending National Boundaries, Possession of a Firearm/Destructive Device in Furtherance of a Crime of Violence, Attempted Murder within the Special Aircraft Jurisdiction of the United States, Use and Carrying of a Firearm/Destructive Device During and in Relation to a Crime of Violence, Attempted use of a Weapon of Mass Destruction in violation of 18 U.S.C. §§ 2332b(a)(1) & 2332b(a)(2), 18 U.S.C. §§ 924(c)(1)(A) & 924(c)(1)(B)(ii) & 924(c)(1)(C)(ii), 18 U.S.C. § 1113, 49 U.S.C. § 46506 and 18 U.S.C. §2332a(a)(2).

A Pretrial Conference scheduled in this matter for January 12, 2011 before this Honorable Court. Defendant ABDULMUTALLAB has discussed the potential issues which are likely to occur at the Pretrial Conference. Defendant ABDULMUTALLAB and counsel have

discussed many aspects of the case and the defense. That for the purpose of setting dates, Defendant and counsel herein are jointly of the opinion that a substantial amount of time is necessary to prepare and present a defense.

Defendant ABDUL MUTALLAB is confident and satisfied that Attorney Anthony T. Chambers can adequately address all issues at the Pretrial Conference. Defendant ABDULMUTALLAB has previously waived his speedy trial rights to allow for investigation, review and preparation of a defense.

Defendant ABDULMUTALLAB continues to waive his speedy trial rights pursuant to 18 USC 3161, to allow a substantial period of time for investigation, review, preparation for a defense and/or trial.

That it is common practice in this District to waive the presence of the Defendant at the Pretrial Conference. The waiving the Defendant's presence at the Pretrial Conference will save transportation/security cost.

The Defendant ABDULMUTALLAB is willing to waive speedy trial and any other concerns the Court may have in writing.

WHEREFORE, Defendant Umar Farouk Abdul Mutallab, respectfully requests that this Honorable Court waive his presence at the January 12, 2011 Pretrial Conference.

Respectfully submitted,

/s/ Anthony T. Chambers P38177
Stand-By Counsel for Defendant
535 Griswold, Suite 1330
Detroit, MI 48226
(313) 964-5557
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Dated: January 10, 2011

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UMAR FAROUK ABDULMUTALLAB,
Defendant.

CERTIFICATION

I hereby certify that the forgoing papers were electronically filed this date, served electronically or by mail to the following:

AUSA CATHLEEN CORKEN
United States Attorney's Office
211 West Fort Street, Suite 2001
Detroit, MI 48226
Cathleen.Corken@usdoj.gov

Date: January 10, 2011

By: s/ Anthony T. Chambers