

## ***Al-Arian wants charges dropped***

St. Petersburg Times (Florida)

December 20, 2005 Tuesday, 2 Late Tampa Edition

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**Distribution:** TAMPA & STATE; CITY & STATE; METRO & STATE

**Section:** TAMPA & STATE; Pg. 1B

**Length:** 529 words

**Byline:** MEG LAUGHLIN

**Dateline:** TAMPA

### **Body**

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As Sami **Al-Arian** sits in jail awaiting the government's next move, his lawyers filed a motion Monday asking federal authorities to dismiss the nine remaining **charges** against him.

In **Al-Arian**'s recent six-month trial on 17 federal **charges**, the former University of South Florida professor was acquitted of eight counts and the jury hung on the remaining nine, saying there wasn't enough evidence to convict him.

Federal prosecutors must decide whether to retry him, but his lawyers argue that there's little point in doing that.

"Dr. **Al-Arian** was acquitted of the **charge** that he conspired to murder and maim outside the United States," said **Al-Arian**'s attorney, Linda Moreno. "This is the overarching conspiracy **charge** which pervades all of the others in this case, making it impossible to convict on the others."

After almost three years in jail, **Al-Arian** was tried from June 6 to Dec. 6, accused of conspiring to raise money for the violent acts of the Palestinian Islamic Jihad in Israel and the occupied territories.

No matter what, he faces deportation.

Aside from the conspiracy counts, the jury hung on an immigration fraud **charge** that was based on federal prosecutors' claim that **Al-Arian** failed to disclose his association to the PIJ and other organizations on immigration forms.

Federal immigration officials say that even if all the **charges** against **Al-Arian** are dismissed, including the immigration **charge**, he will still be deported after an immigration hearing.

"We have a lower standard of proof for making these decisions than the courts do. We are not looking at guilt beyond a reasonable doubt in order to deport Dr. **Al-Arian**," said Pam McCullough, a spokeswoman for Immigration and Customs Enforcement.

**Al-Arian** remains in the Orient Road Jail in Hillsborough County.

Meanwhile, Sameeh Hammoudeh, a Palestinian scholar who was tried with **Al-Arian** and was acquitted of all criminal **charges**, was moved from that jail to an ICE detention facility in Bradenton to await deportation.

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Hammoudeh, 44, and his wife, Nadia Ibrahim Hammoudeh, were sentenced in June to probation for mortgage fraud, immigration fraud and federal tax fraud **charges**. As a result, they'll be deported to Ramallah, Palestine, now that the separate terrorism trial is over.

ICE officials wouldn't say why Hammoudeh is being detained while his wife is not, except to say that immigration detention is decided on "a case by case basis."

Hammoudeh's attorney Stephen Bernstein is trying to get a hearing to argue for his release.

"We're stymied. I've filed the forms and talked to five officers, but no one at ICE will tell us what's going on," Bernstein said.

ICE officials denied a written request by the St. Petersburg Times last week for an interview with Hammoudeh. District ICE spokeswoman Barbara Gonzalez in Miami said she could not elaborate on why Hammoudeh was being held in jail and not allowed access to the media except to say, "It is because of safety and security concerns."

Since his acquittal, Hammoudeh's family has not been allowed to visit him. But relatives hope to see him at the end of the week.

"We don't know anything - just that my dad is getting the runaround," said Weeam Hammoudeh, 19.

## Classification

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**Language:** ENGLISH

**Publication-Type:** Newspaper

**Subject:** CONSPIRACY (91%); IMMIGRATION (90%); US FEDERAL GOVERNMENT (90%); CORRECTIONS (90%); JURY TRIALS (90%); CRIMINAL CONVICTIONS (90%); PUBLIC PROSECUTORS (90%); FEDERAL INVESTIGATIONS (90%); DEPORTATION (89%); FRAUD & FINANCIAL CRIME (89%); IMMIGRATION LAW (89%); LAWYERS (89%); ACQUITTAL (89%); SENTENCING (78%); POLITICAL DETAINEES (78%); PROBATION (78%); TAX FRAUD (78%); JAIL SENTENCING (78%); SPECIAL INVESTIGATIVE FORCES (78%); TERRORISM (73%); TAX ENFORCEMENT (72%); CRIMINAL OFFENSES (72%); TERRORIST ORGANIZATIONS (67%); MUSLIMS & ISLAM (67%); REAL ESTATE FRAUD (66%); MORTGAGE FRAUD (66%); ASSOCIATIONS & ORGANIZATIONS (65%); COLLEGE & UNIVERSITY PROFESSORS (57%); RELIGION (52%); ALARIAN20

**Organization:** PALESTINIAN ISLAMIC JIHAD (55%)

**Industry:** LAWYERS (89%); REAL ESTATE FRAUD (66%); MORTGAGE FRAUD (66%); COLLEGE & UNIVERSITY PROFESSORS (57%)

**Geographic:** FLORIDA, USA (79%); STATE OF PALESTINE (93%); ISRAEL (79%); UNITED STATES (79%)

**Load-Date:** December 20, 2005