

## Wiretapping at center of terror case

by UPI

WASHINGTON -- There may be a retrial of a major terror case if defense lawyers are not given access to alleged wiretapping evidence, a federal judge in Virginia said. Judge Leonie M. Brinkema said Tuesday the alleged wiretapping evidence related to Ali al-Timimi, an Islamic scholar convicted of inciting terrorism, will be given to both sides in the case or a retrial would occur, The New York Times reported. The Virginia scholar was convicted in 2005 of urging his followers to take part in terrorist activities and was sentenced to life in prison. An appellate court ruled in April 2006 the case should be reviewed, following news of the National Security Agency's wiretapping program. Lawyers for Timimi claim their client was illegally wiretapped before being arrested, and they say they were never given access to the related audio tapes. "We're shadowboxing in the courtroom with unnamed officials at unnamed agencies," Timimi's lead appellate lawyer, Jonathan Turley, said. The Times said that during Timimi's trial, government officials testified that he was involved in a small number of wiretaps, but all were conducted with appropriate warrants.

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