

Padilla defense calls for a mistrial

by UPI

MIAMI - A defense attorney for the lead suspect in the federal trial in Miami of three men accused of aiding terror groups abroad asked for a mistrial Monday.

Attorney Anthony Natale claimed the jury would be prejudiced by a co-defendant counsel's questioning of a government witness as to whether killing was justified during jihad, or holy war.

Natale -- representing U.S-born terror suspect Jose Padilla -- said the cross examination of a prosecution terror expert by fellow defense lawyer Jeanne Baker, who represents Adham Amin Hassoun, was inappropriate.

Padilla is accused of being a willing recruit of al-Qaida and of training at a camp in Afghanistan run by the extremist group. Hassoun and a third defendant, Kifah Wael Jayyousi, are accused of aiding Padilla and others.

Monday's request for a mistrial was the second by the defense in three days of testimony. On Thursday, it was Baker who requested a mistrial after several members of the jury inadvertently saw Hassoun being led away after court in leg shackles and a belly chain attached to his wrists.

After interviewing the jurors, Judge Marcia Cooke said a fair trial was not in jeopardy.

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