

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA . Criminal No. 1:24mj282
 .
 vs. . Alexandria, Virginia
 . July 22, 2024
 HASAN Y. HAMDAN, . 10:02 a.m.
 .
 Defendant. .
 .

TRANSCRIPT OF INITIAL APPEARANCE
BEFORE THE HONORABLE WILLIAM B. PORTER
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

FOR THE GOVERNMENT: ALEXANDER AMICO, SAUSA
McKENZIE EHRHARDT, SAUSA
United States Attorney's Office
2100 Jamieson Avenue
Alexandria, VA 22314

ARABIC INTERPRETER: TOUFIC MAGED

ALSO PRESENT: GLENNA SMITH

TRANSCRIBER: ANNELIESE J. THOMSON, RDR, CRR
(703)629-3845

(Pages 1 - 7)

(Proceedings recorded by FTR Gold electronic sound recording,
transcript produced by computerized transcription.)

P R O C E E D I N G S

(Defendant present.)

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3 MR. AMICO: Good morning, Your Honor. Alex Amico for
4 the United States, appearing with my cocounsel, McKenzie
5 Ehrhardt, and my colleague Glenna Smith.

6 THE COURT: Good morning. Nice to see you-all.
7 What do we want to do first?

8 MR. AMICO: Your Honor, this morning we'd like to
9 begin with motions to continue. We have two cases involving a
10 translator, if you'd like to take those up first.

11 THE COURT: Yes, sir. Do we have our translator
12 here?

13 MR. AMICO: Yes, Your Honor.

14 THE COURT: Interpreter?

15 Sir, do you want to come up and be sworn, please?

16 THE INTERPRETER: Yes.

17 THE COURT: Thank you for being here.

18 THE INTERPRETER: I'm actually the interpreter.

19 MR. AMICO: Excuse me.

20 THE COURT: That's what I figured.

21 TOUFIC MAGED, ARABIC INTERPRETER, SWORN

22 MR. AMICO: Your Honor, the first case is United
23 States versus Hasan Hamdan.

24 THE COURT: Page 2?

25 MR. AMICO: Yes, Your Honor.

1 THE COURT: Yes, sir. Is Mr. Hamdan here?

2 MR. AMICO: He is present.

3 THE COURT: Good morning, sir. Are you Hasan Hamdan?

4 THE DEFENDANT: Yes.

5 THE COURT: Good morning, sir. You're here today in
6 the Eastern District of Virginia, our federal court, because a
7 misdemeanor -- you've been charged with a misdemeanor offense.
8 The purpose of today's hearing is to advise you of some of your
9 rights and to talk about further scheduling in this case.

10 First of all, I want to make sure you're aware you
11 have the right to remain silent at this and all future
12 hearings, and you also have the right to be represented by
13 counsel at this and any future hearing.

14 Do you understand that you have those rights?

15 THE DEFENDANT: Yes.

16 THE COURT: Mr. Amico, are we continuing this for a
17 status or --

18 MR. AMICO: We'd like to continue it for a status on
19 9 September, Your Honor. We would like the defendant to be --
20 have the opportunity to retain counsel.

21 THE COURT: 9, you said September what?

22 MR. AMICO: September 9, Your Honor.

23 THE COURT: 9/9?

24 MR. AMICO: Yes, Your Honor.

25 THE COURT: Okay. Mr. Hamdan, do you understand you

1 have the right to hire counsel? Do I understand you're going
2 to hire your own counsel, or do you want to be evaluated for
3 court-appointed counsel?

4 THE DEFENDANT: I would like the Court to assign --
5 appoint an attorney for me.

6 THE COURT: Okay. Is that your understanding,
7 Mr. Amico, or what?

8 MR. AMICO: Yes, Your Honor. I have provided the
9 defendant with a financial affidavit.

10 THE COURT: All right, sir. Have you had a chance to
11 take a look at your financial -- the financial affidavit form
12 and fill it out?

13 THE DEFENDANT: I filled it out, Your Honor.

14 THE COURT: Is all the information on the form true
15 and accurate to the best of your information and belief?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Is all the information on that form true
18 and accurate to the best of your information and belief?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: All right. Thank you.

21 All right. Based on your financial affidavit, I do
22 find you eligible for counsel, and I'll appoint the Federal
23 Public Defender to represent you.

24 All right. Sir, we're going to continue this matter
25 for a status conference on -- until September 9, 2024, at

1 10 a.m.

2 MR. AMICO: And, Your Honor, the government would
3 like to ask that a few pretrial conditions be put into place on
4 the defendant, specifically, that he be reminded to show up for
5 all future court appearances, show up to any immigration
6 appearances that he has pending, and to not further trespass on
7 Marine Corps Base Quantico or any other military installation.

8 THE COURT: Okay. If we're doing conditions of
9 release, then I am going to assign it to my docket. It won't
10 necessarily be the next Quantico docket.

11 MR. AMICO: Yes, Your Honor.

12 THE COURT: Which I'm certainly happy to do. So
13 we're going to change that date.

14 Sir, the government has asked for certain conditions
15 of release.

16 Can you give those to me again, Mr. Amico?

17 MR. AMICO: Yes, Your Honor. That the defendant be
18 required to show up to all future court appearances, that he be
19 reminded to show up to all immigration court or immigration
20 process appearances, and that he not further trespass on Marine
21 Corps Base Quantico or any other military installation.

22 THE COURT: All right. Sir, we're going to continue
23 this matter until the 9th -- actually, let's talk dates in a
24 second. The government has asked for conditions of release
25 which I'm going to agree to. The conditions are fairly simple.

1 You need to show up at all future court hearings, including the
2 next one we're going to set in this case; you need to show up
3 at all immigration hearings and the like; and you also need to
4 not trespass on Quantico or any other governmental property.

5 Do you understand that, sir?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Okay. Let's -- can we set this for
8 September 17?

9 MR. AMICO: Yes, Your Honor.

10 THE COURT: We'll do it -- we'll continue this to
11 9/17 at 10 a.m.

12 Sir, do you understand that between now and then, you
13 have an opportunity to meet with a federal public defender, and
14 you will provided the -- you will be provided the conditions of
15 release and asked to sign them before you leave here today so
16 you have those in writing.

17 Mr. Interpreter, I'd ask that if you could, if you
18 could hang around along with Mr. Hamdan and make sure that he's
19 seen and can understand the conditions of release.

20 THE INTERPRETER: I will.

21 THE COURT: Thank you, sir.

22 Anything further?

23 MR. AMICO: Not for Mr. Hamdan, Your Honor.

24 THE COURT: All right, sir. We're going to continue
25 this matter. We're done for today except for you're going to

1 get your conditions of release in just a moment, and the
2 interpreter is going to help you make sure you understand them.
3 So you could sit in the back until we're ready for you, okay?

4 Thank you, sir. Good luck to you.

5 (Which were all the proceedings
6 had at this time.)

7
8 CERTIFICATE OF THE TRANSCRIBER

9 I certify that the foregoing is a correct transcript from
10 the official FTR Gold electronic sound recording of the
11 proceedings in the above-entitled matter.

12
13 /s/

14 _____
Anneliese J. Thomson

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