Federal Defenders
OF NEW YORK, INC.

Southern District
52 Duane Street, 10th Floor
New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

Tamara Giwa
Executive Director

Jennifer L. Brown
Attorney-in-Charge

October 29, 2026

By CM/ECF
The Honorable Colleen McMahon
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Mohammad Al-Saadi*
26 Cr. 220 (CM)

Dear Judge McMahon:

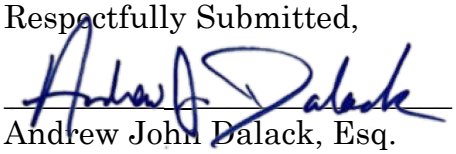
We write respectfully to request that the Court schedule a conference to address Mr. Al-Saadi's desire to represent himself; to discuss what that would entail given his SAMs; and to allocute Mr. Al-Saadi as required under *Faretta v. California*, 422 U.S. 806 (1975).

As raised in our prior submissions, the Government's implementation of SAMs has strained the attorney-client relationship. *See* Dkts. 12, 14, 18, 27, 29, 30. Among other problems, the SAMs have subjected Mr. Al-Saadi to extreme isolation with inadequate access to Arabic-language media and reading material. For example, as to the latter, since August the defense has sent Mr. Al-Saadi several dozen pieces of Arabic-language literature as non-legal mail—items we have identified and downloaded from publicly available sources. We have also sent Mr. Al-Saadi as non-legal mail other reading materials we received from his family. Our understanding is that the FBI has been reviewing and delivering those materials on an ongoing basis to MDC Brooklyn, and we remain in discussions with the U.S. Attorney's Office about how to expedite the FBI's review of reading materials that are sourced by the defense team. However, we believe that Mr. Al-Saadi has received little, if any, new, non-legal mail for the past month. The defense's inability to account for or explain this delay to our client compounds Mr. Al-Saadi's social isolation, leading him to believe that he may as well represent himself.

Accordingly, we respectfully request that the Court schedule a conference to discuss Mr. Al-Saadi proceeding pro se. We further request that the Court allocute Mr. Al-Saadi on his ability to engage in the significantly expanded role required for self-representation as required by *Faretta* and its progeny. *See Faretta*, 422 U.S. at 834 n.46; *Indiana v. Edwards*, 554 U.S. 164, 176, 185 (2008); *United States v. Barnes*, 693 F.3d 261, 271-73 (2d Cir. 2012); *United States v. Nyenekor*, 785 F. App'x 810, 814-15 (2d Cir. 2019).

Thank you for your consideration.

Respectfully Submitted,



Andrew John Dalack, Esq.
Benjamin Silverman, Esq.
Hana Yamahiro, Esq.
Assistant Federal Defenders
Tel: (646) 315-1527

Cc: Counsel of record (by ECF)
Mohammed Al-Saadi (by legal mail)