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## Judge Rejects Bush Plot Suspect's Request

MATTHEW BARAKAT  
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ALEXANDRIA, Va. -- A federal judge ruled Monday that prosecutors can use a confession by a man charged with joining al-Qaida and plotting to assassinate President Bush, despite defense claims that the confession was obtained through torture.

The ruling came after a six-day hearing in which Ahmed Omar Abu Ali testified that Saudi Arabian security officers whipped his back, kicked him in the stomach and pulled on his beard to obtain a confession.

U.S. District Judge Gerald Bruce Lee issued a one-page ruling and said he would explain his reasoning in a forthcoming order.

Abu Ali's lawyers wanted the confession tossed out and the entire case dismissed. But Lee's ruling means the trial will go forward this week, with jury selection Tuesday and opening statements as early as Thursday.

During the hearing, the judge reviewed photographs of Abu Ali's back that showed thin lines or scars that the 24-year-old said were proof of a flogging. Prosecutors argued the faint markings could have been caused by anything and might have been self-inflicted to bolster a torture claim.

Prosecutors also argued that Abu Ali's confession was voluntary, citing the 13-minute videotape in which he made jokes and pantomimed the use of an assault rifle.

In the confession, Abu Ali said he joined al-Qaida because he hated the United States for its support of Israel. He said he discussed numerous potential plots with his al-Qaida cell members, including plans to assassinate Bush, conduct a Sept. 11-style attack using planes hijacked from outside the United States, establish an al-Qaida cell inside the U.S. and free Muslim prisoners held at Guantanamo Bay.

Abu Ali, of Falls Church, was born in Houston and graduated from an Islamic high school in Virginia in 1999. He is charged with joining al-Qaida while studying in Saudi Arabia.

The government also cited testimony by Saudi security officers in a deposition conducted in July in the kingdom. The officers said Abu Ali confessed almost immediately during his first interrogation when confronted with evidence obtained from other cell members.

One officer likened him to "a bag of water" spilling its contents once poked with a hole.

Abu Ali was arrested in June 2003 while taking final exams at the Islamic University of Medina. He said he was tortured the next day after he refused many times to speak with interrogators.

Abu Ali also confessed to FBI agents in September, but prosecutors have acknowledged that confession is invalid because they disregarded Abu Ali's request for an attorney.

The hearing did not delve into whether Abu Ali was telling the truth when he confessed. His lawyers have argued in court papers that he gave a false confession to stop the torture. Abu Ali testified that "many of the things were false" in his confession.

Abu Ali is charged with conspiracy to assassinate the president, conspiracy to commit aircraft piracy, providing material support to al-Qaida and other crimes. He faces up to life in prison if convicted.