
Bail denied for Fort Dix plot suspects

By: **MIKE MATHIS** (Fri, Jan/04/2008)

CAMDEN — A judge yesterday refused to release on bail five men charged with plotting to kill soldiers in an armed attack on Fort Dix, saying the federal prison where the men are held has improved their ability to review evidence.

Michael Huff, the attorney for defendant Dritan Duka, asked a judge in November to release Duka on bail due to the inability of his client to review evidence against him in prison. Lawyers for the four other defendants joined in the request.

In rejecting the request for bail, U.S. District Court Judge Robert Kugler said the Federal Detention Center in Philadelphia has made accommodations to improve the ability of the defendants to review video and audio recordings.

Prison officials are allowing the defendants to leave their cells Monday through Friday from 7 a.m. to 3 p.m. so they can view electronic evidence. The defendants already keep documents in their cells, which they can review at any time.

Kugler noted that some of the defendants decided not to review evidence during the times they were permitted.

"They're not always taking advantage of all the opportunities they have to review the discovery," Kugler said.

The attorneys have complained that their clients have been denied permission by prison officials to review evidence, making it difficult for them to prepare their cases.

The lawyers also allege the defendants have been treated harshly by prison officials and are denied privileges afforded other inmates.

All five have been held without bail since they were arrested May 7.

All five attorneys said they were not convinced the situation has improved, despite assurances from a prison official who testified at hearings yesterday and last month.

"Even though there has been improvement, that doesn't give me great confidence it will continue," said Rocco Cipparone Jr., who represents Mohamad Ibra-him Shnewer.

Troy Archie, the attorney for Eljvir Duka, suggested moving the men to Salem County Jail which also houses federal prisoners so that the men would have better access to evidence and their attorneys.

Shnewer, 22, Dritan Duka, 28, Eljvir Duka, 23, and Shain Duka, 26, all of Cherry Hill, and Sedar Tatar, 23, of Philadelphia are charged with conspiracy to kill members of the U.S. military. The Duka brothers also are charged with unlawful possession of firearms as aliens.

All five have pleaded innocent. They face life sentences if convicted. The case is scheduled for trial March 24.

A sixth man, Agron Abdullahu, 25, of Buena Vista in Atlantic County pleaded guilty in October to providing weapons and ammunition to the group. Abdullahu, a former bakery worker, faces up to five years in prison and fines totaling \$250,000 when Kugler sentences him Feb. 6.

Investigators said the plot was foiled when the men took a videotape of themselves firing assault weapons to the Circuit City store in Mount Laurel to have the footage transferred to a DVD. A Circuit City worker brought the tape to the attention of authorities.

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