



**SPECIAL COURT FOR SIERRA LEONE**

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**TRIAL CHAMBER I**

Before: Hon. Justice Pierre Boutet, Presiding Judge  
Hon. Justice Bankole Thompson  
Hon. Justice Benjamin Mutanga Itoe

Interim Registrar: Mr. Lovemore Munlo SC

Date: 29<sup>th</sup> of November, 2005

PROSECUTOR	Against	<b>SAM HINGA NORMAN</b> <b>MOININA FOFANA</b> <b>ALLIEU KONDEWA</b> (Case No.SCSL-04-14-T)
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**ORDER ON URGENT MOTION FOR RECONSIDERATION OR, IN THE ALTERNATIVE,  
FOR LEAVE TO APPEAL THE ORDERS FOR COMPLIANCE WITH THE ORDER  
CONCERNING THE PREPARATION AND PRESENTATION OF THE DEFENCE CASE**

Office of the Prosecutor:

Luc Côté  
James Johnson  
Kevin Tavener

Court Appointed Counsel for Sam Hinga Norman:

Dr. Bu-Buakei Jabbi  
John Wesley Hall, Jr.  
Clare da Silva (*Legal Assistant*)

Court Appointed Counsel for Moinina Fofana:

Victor Koppe  
Arrow Bockarie  
Michiel Pestman  
Andrew Ianuzzi (*Legal Assistant*)

Court Appointed Counsel for Allieu Kondewa:

Charles Margai  
Yada Williams  
Ansu Lansana  
Martin Michael (*Legal Assistant*)

SPECIAL COURT FOR SIERRA LEONE <b>RECEIVED</b> COURT MANAGEMENT 29 NOV 2005	
NAME	NEIL GIBSON
SIGN	<i>[Signature]</i>
TIME	14:53

**TRIAL CHAMBER I** ("the Chamber") of the Special Court for Sierra Leone ("Special Court") composed of Hon. Justice Pierre Boutet, Presiding Judge, Hon. Justice Bankole Thompson and Hon. Justice Benjamin Mutanga Itoe;

**MINDFUL** of the "Order Concerning the Preparation and Presentation of the Defence Case" of the 21<sup>st</sup> of October 2005 and of the "Consequential Order for Compliance with the Order Concerning the Preparation and Presentation of the Defence Case" of the 28<sup>th</sup> of November, 2005 ("Order for Compliance");

**NOTING** that Status Conferences were held pursuant to these Orders on the 27<sup>th</sup> of October 2005 and on the 25<sup>th</sup> of November, 2005, respectively, for the purposes of considering the preparation and presentation of the Defence case and the Defence compliance with the said Orders;

**HAVING RECEIVED** the "Urgent Fofana Motion for Reconsideration of the 25 November 2005 Oral Ruling and the 28 November 2005 Consequential Order of Trial Chamber I or, Alternatively, Request for Leave to Appeal Both" on the 29<sup>th</sup> of November, 2005 ("Motion");

**NOTING** that the Motion contains, *inter alia*, two separate and distinct applications, namely reconsideration or, alternatively, leave to appeal the Oral Ruling issued by this Court on the 25<sup>th</sup> of November, 2005 as well as the Order for Compliance;

**CONSIDERING** that, due to the particular nature of the applications made, two separate and distinct motions should have been filed;

**CONSIDERING** that Article 17(4)(c) of the Statute of the Special Court provides that the Accused shall be entitled "to be tried without undue delay";

**PURSUANT TO** Rule 26bis, 54 and 73 of the Rules of Procedure and Evidence of the Special Court ("Rules");

**THE TRIAL CHAMBER**

**REJECTS** the Defence Motion on the ground that this matter is not properly before the Chamber;

**RECALLS** that, pursuant to Rule 73(B) of the Rules, any motion that may be filed subsequently will not operate as a stay of proceedings; and,

**REMINDS** the Defence of their obligations to fully comply with the provisions of this Chamber's Consequential Order for Compliance with the Order Concerning the Preparation and Presentation of the Defence Case of the 28<sup>th</sup> of November, 2005;

Done at Freetown, Sierra Leone, this 29<sup>th</sup> day of November 2005.

*[Handwritten signatures of Hon. Justice Benjamin Mutanga Itoe, Hon. Justice Pierre Boutet, and Hon. Justice Bankole Thompson]*

Hon. Justice Benjamin Mutanga Itoe

Hon. Justice Pierre Boutet  
Presiding Judge,  
Trial Chamber I

Hon. Justice Bankole Thompson

[Seal of the Special Court for Sierra Leone]

