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SCSL-2003-07 PT-04-6
(658-662)

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SPECIAL COURT FOR SIERRA LEONE

TRIAL CHAMBER

Before: Judge Thompson, Presiding Judge
Judge Itoe
Judge Boutet

Registrar: Robin Vincent

Date: 19 June 2003

The Prosecutor Against: Morris Kallon

(Case No. SCSL-2003-07-PT)

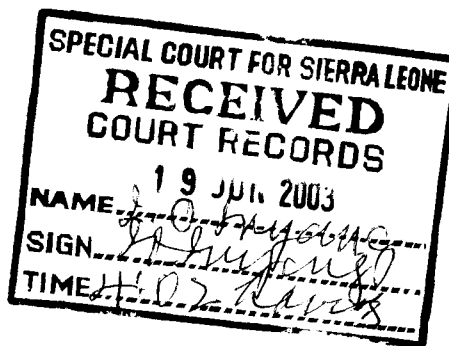
**APPLICATION FOR EXTENSION OF TIME TO FILE REPLY TO
PROSECUTION RESPONSE TO PRELIMINARY MOTIONS**

Office of the Prosecutor:

Luc Cote, Chief of Prosecution

Defence Counsel:

James Oury
Steven Powles



1. On 16 June 2003 Counsel for Mr Kallon filed two preliminary motions pursuant to Rule 72 of the Rules: (i) "Preliminary Motion Based on Lack of Jurisdiction/Abuse of Process: Amnesty Provided by Lome Accord", and (ii) "Preliminary Motion Based on Lack of Jurisdiction: Establishment of Special Court Violates Constitution of Sierra Leone".
2. Pursuant to Rule 7(C) of the Rules the Prosecution are to file a Response within 7 days - in respect of the two preliminary motions this will be, at the latest, 23 June 2003. Pursuant to Rule 7(C) the Defence will then have 3 days in which to file a Reply to the Prosecution Response. Assuming the Prosecution file Response on 23 June 2003, the Defence will have until 26 June 2003 to file Reply.
3. The Trial Chamber is respectfully requested to grant a short extension of time to the Defence to file Replies to Prosecution Responses. It is submitted that in the circumstances of this case good cause exists pursuant to Rule 73 to grant such an extension.
4. Counsel with conduct of this aspect of the Defence case will, for professional reasons, be away from the UK from 20 June 2003 to 25 June 2003. It will extremely difficult for him to obtain copies of Prosecution Response while away from UK and even harder, if not impossible, to conduct the requisite research and preparation for any Reply.
5. It is therefore requested whether a short extension of time may be granted to the Defence to file Reply to Prosecution Response. It is anticipated that it will be possible for defence to file Reply by 30 June 2003.

Relief Sought

6. Defence to be granted until 30 June 2003 to file Reply to any Prosecution Response to (i) "Preliminary Motion Based on Lack of Jurisdiction/Abuse of Process: Amnesty Provided by Lome Accord", and (ii) "Preliminary Motion Based on Lack of Jurisdiction: Establishment of Special Court Violates Constitution of Sierra Leone".

for Mr. Oury

James Oury

SIGNED ON BEHALF OF
COUNSEL FOR KALLON

Steven Powles

BY THE DEFENCE OFFICE

London, 19 June 2003.



John Jones
06/19/2003 02:55 PM

To: Amira Alghali/SCSL@SCSL
cc:
Subject: Fw: Replies

Please print this off - message and attachment - and bring it to me for my signature.

Thanks,

John

----- Forwarded by John Jones/SCSL on 19/06/2003 14:54 -----



Steven Powles
<s.powles@doughtystr
eet.co.uk>
19/06/2003 14:40

To: "John Jones" <jonesj@un.org>
cc:
Subject: RE: Replies

Dear John,

Hope you are well. Please find short application for Extension of Time to File Reply to Prosecution Response to Preliminary Motions. Could you please file it in the usual way with the Trial Chamber. You of course have our consent to sign the Motion on our behalf.

Many thanks in advance

Steven

-----Original Message-----

From: John Jones [mailto:jonesj@un.org]
Sent: 18 June 2003 21:58
To: Steven Powles
Subject: Re: Replies

Hi Steve,

The time-limit is 3 days (Rule 7(C)).

John

Steven Powles <s.powles@doughtystreet.co.uk>

18/06/2003 18:38

To: "John Jones" <jonesj@un.org>
cc:
Subject: Replies



John Kallon-ReplyExtension.doc

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