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SCSL-04-15-T
(27219 - 27222)

27219

**SPECIAL COURT FOR SIERRA LEONE
TRIAL CHAMBER I**

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

Registrar: Mr. Herman Von Hebel

Date filed: 21 July 2008

THE PROSECUTOR

against

**ISSA HASSAN SESAY
MORRIS KALLON
AUGUSTINE GBAO**

Case No. SCSL -2004-15-T

PUBLIC

**KALLON URGENT APPLICATION FOR PAGE EXTENSION IN RESPECT OF
FINAL BRIEF**

Office of the Prosecutor:

Peter Harrison
Reginald Fynn

Counsel for Issa Sesay:

Wayne Jordash
Sareta Ashraph


Counsel for Morris Kallon:

Charles Taku
Kennedy Ogetto
Tanoo Mylvaganam

Court-Appointed Counsel for

Augustine Gbao:

John Cammegh
Scott Martin

SPECIAL COURT FOR SIERRA LEONE	
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INTRODUCTION

1. On 29 April 2008 the Chamber directed that the final trial brief of each of the three accused, Sesay, Kallon and Gbao, be limited to 400 pages.¹ Therein the Chamber noted the oral request made by counsel for Kallon to file a 500 page final trial brief at the status conference on 12 March 2008.²

RELIEF SOUGHT

2. The Second Accused, Morris Kallon, hereby files an urgent request for relief to file a final trial brief not in excess of 600 pages.

SUBMISSIONS

3. The Kallon Defence has engaged its best efforts to confine its submissions to the 400 page limit. However, having conducted a good faith review of the material essential to represent Mr Kallon's defence, it has determined that a comprehensive defence can be presented in no less than 600 pages, even in excess of the 500 pages initially requested by counsel Kallon at the status conference. In making this determination, counsel for Kallon acknowledges that the quality of a final trial brief does not depend exclusively upon the length, but also on the clarity and cogency of the arguments, and that unnecessarily long briefs are contrary to the efficient administration of justice. However, it submits that in this case relief to extend the page limit is justified because the legal issues involved are irretrievably complex and the allegations that must be confronted are numerous and cover vast expanses of time and space. The Kallon Defence respectfully submits that a full response to a case of this nature, in accordance with counsel's duties of competence and diligence to its client, cannot be made in any less than 600 pages.
4. Furthermore, the Kallon Defence notes the larger scope of the Prosecution case against Mr Kallon as compared to the case against Mr Gbao, referring in particular to the Prosecution's case that a superior position of command was held by Mr Kallon throughout the Indictment period. Whilst not wishing to take a position as

¹ *P v. Sesay et al.*, SCSL-04-15-T-1106, Order for the Filing of Final Trial Briefs and the Presentation of Closing Arguments, 29 April 08, at pg 4.

² *Id.*, at pg 3.

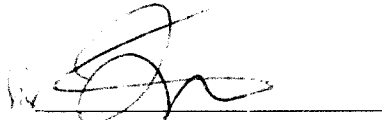
to the length of submissions afforded to co-accused, it is submitted that Mr Kallon be given the facility to respond to the case against him in proportion with the larger case presented by the Prosecution in order to do equity between the parties.

PRAYER

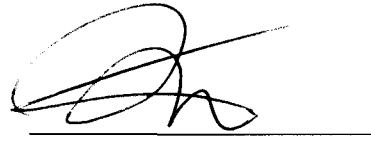
5. In light of the foregoing, the Second Accused prays the Chamber to grant relief and permit the filing of a final trial brief not in excess of 600 pages.
6. In addition, in light of the impending deadline of 29 July 2008 for filing of the final trial brief, the Second Accused requests an interim order for expedited filing.

DONE in Freetown on this 21st day of JULY, 2008.

For Defendant **KALLON**,



Chief Charles A. Taku



Kennedy Ogetto

LIST OF AUTHORITIES

P v. Sesay et al., SCSL-04-15-T-1106, Order for the Filing of Final Trial Briefs and the Presentation of Closing Arguments, 29 April 08.