

066

1744

SCSL-2003-08-PT
(1744-1746)



SPECIAL COURT FOR SIERRA LEONE

JOMO KENYATTA ROAD • FREETOWN • SIERRA LEONE

PHONE: +1 212 963 9915 Extension: 178 7000 or +39 0831 257000 or +232 22 295995

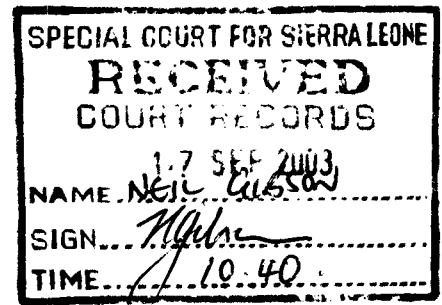
FAX: Extension: 178 7001 or +39 0831 257001 Extension: 174 6996 or +232 22 295996

THE TRIAL CHAMBER

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

Registrar: Robin Vincent

Date: 17th day of September 2003



The Prosecutor against

Samuel Hinga Norman
(Case No.SCSL-2002-08-PT)

ORDER ON THE DEFENCE REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO FILE REPLY TO PROSECUTOR'S RESPONSE TO DEFENCE PRELIMINARY MOTION

Office of the Prosecutor:
Mr. Luc Côté, Chief of Prosecutions

Defence Counsel:
Mr. James Blyden Jenkins-Johnston
Mr. Sulaiman Banja Tejan-Sie

THE SPECIAL COURT FOR SIERRA LEONE (“the Special Court”)

SITTING as the Trial Chamber (“the Chamber”), composed of Judge Bankole Thompson, Presiding Judge, Judge Pierre Boutet, and Judge Benjamin Mutanga Itoe;

SEIZED of the Defence Request for Extension of Time within which to File Reply to Prosecutor’s Response to Defence Preliminary Motion of the 15th day of July 2003 (“the Request”);

CONSIDERING the Prosecution Response to the Defence Request of the 16th day of July 2003 (“the Response”);

CONSIDERING that the Defence has filed on the 26th day of June 2003 four Preliminary Motions Based on Lack of Jurisdiction, namely Child Recruitment, Command Responsibility, Lawfulness of the Court’s Establishment and Judicial Independence (“the Four Preliminary Motions”), in relation to the criminal suit against Samuel Hinga Norman (“the Accused”);

CONSIDERING the Prosecution’s Responses to each of the Four Preliminary Motion dated the 7th day of July 2003 (“the Responses”) and the Defence Replies thereto of the 14th day of July 2003 (“the Replies”);

CONSIDERING that, in its Request, the Defence, having however already filed its Replies to the Prosecution Responses to the Four Preliminary Motions outside the prescribed time limits, applied for an extension of time to file such replies on the grounds that the Defence Counsel was ill;

CONSIDERING that the Chamber is of the opinion that such application should be interpreted as an application to grant leave to the late filing of the same Replies rather than a request of extension of time, having the Replies already been filed at the time the Defence Request has been filed;

CONSIDERING FURTHER that, in its Response to the Defence Request, the Prosecution did not oppose to the granting of such application;

CONSIDERING that the Chamber finds that the Defence Request is supported by good cause and, furthermore, **CONSIDERING** that the Chamber is satisfied of the parties’ agreement on the extension of time to file such Replies;

NOW THEREFORE, PURSUANT TO RULE 54 OF THE RULES OF PROCEDURE AND EVIDENCE,

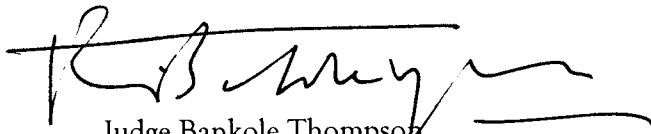


THE CHAMBER:

ALLOWS the late filing of the Replies to the Prosecution Responses to each of the Four Defence Preliminary Motions.

Done in Freetown, this 17th day of September 2003

The Trial Chamber



Judge Bankole Thompson
Presiding Judge

