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SCSL-12-02-PT
(257-259)

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SPECIAL COURT FOR SIERRA LEONE

TRIAL CHAMBER II

Before: Justice Teresa Doherty,
Single Judge, Trial Chamber II

Registrar: Binta Mansaray

Case No.: SCSL-12-02-PT

Date: 28 November 2012

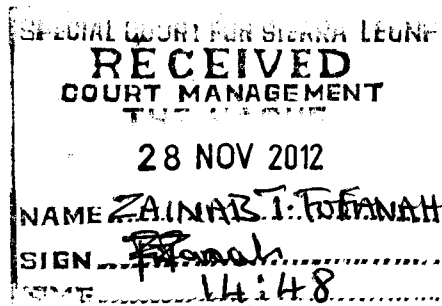
INDEPENDENT
COUNSEL

v.

Prince TAYLOR

PUBLIC

FURTHER DECISION ON INDEPENDENT COUNSEL'S MOTION FOR *SUBPOENA DUCES TECUM*



I, Justice Teresa Doherty, acting as Single Judge of Trial Chamber II of the Special Court for Sierra Leone ("Special Court");

SIASED of the Reply to Response on Behalf of Mr. Taylor to Independent Counsel's Motion for *Subpoena Duces Tecum* ("Reply")¹ dated 14 November 2012 filed on 15 November 2012 wherein Independent Counsel notes the Defence objection to his original application for a *subpoena duces tecum* on the grounds, inter alia, that the Accused did not have any bank account with First International Bank Ltd (sic) and therefore seeks the additional relief² that the First International Bank, (SL) Ltd also produce any records or documentation related to the cash deposit of 200,000 Leones made to the account of Jessica Senessie on 1 February 2011 and the Registrar take all necessary measures to have the modified subpoena served and executed.³ ("Further Application")

NOTING the Defence Response to the Further Application filed on 19 November 2012 ("Further Response")⁴ wherein Defence Counsel notes that such relief is unnecessary as Defence has a copy of the cash deposit slip for 200,000 Leones made by the Accused to Jessica Senessie and states that Defence can provide this to the Trial Chamber and to Independent Counsel.⁵

NOTING Further Independent Counsel's Reply made by e-mail on 19 November 2012 opposing Defence Counsel's proposals.

COGNISANT of the provisions of Rules 8, 54 and 89 of the Rules of Procedure and Evidence ("Rules").

CONSIDERING that the evidence, if any, that the Accused had used a bank account or other transfer facility with the First International Bank, (SL) Ltd to effect payment of a sum or sums of money to the daughter of Eric Senessie during the period 1 January 2011 and 31 July 2011 is relevant to the ascertainment of the truth in the instant case.

GRANT the further application and:

¹ SCSL-12-02-PT-018.

² Reply, para. 2.

³ Reply, paras 4-5.

⁴ SCSL-12-02-PT-019.

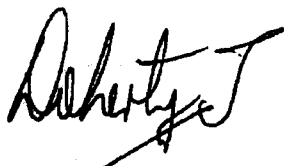
⁵ Further Response, paras 3-4.

AMEND AND RE-ISSUE the Subpoena Duces Tecum originally issued on 14 November 2012⁶ by adding the following additional order:

“(b) any record or documentation related to the cash deposit of 200,000 Leones made to the account of Jessica Senessie on 1 February 2011.”

REQUESTS that the Registrar take all necessary measures to have this Amended Subpoena Duces Tecum served and executed on the First International Bank, (SL) Ltd.

Done at The Hague, The Netherlands, this 28th day of November 2012.



Justice Teresa Doherty
Single Judge

[Seal of the Special Court for Sierra Leone]



⁶ SCSL-12-02-PT-017.