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SCSL-2003-05-PT-030-1P
(S44-S46)

SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
FREETOWN – SIERRA LEONE

SPECIAL COURT FOR SIERRA LEONE	
COURT REPORT	
RECEIVED 844	
NAME	BENETRICE URECHE
SIGNATURE	<i>[Signature]</i>
DATE	12 May 2003
TIME	10:30

Before: Judge Bankole Thompson,
Designated Judge

Registrar: Robin Vincent

Date filed: 12 May 2003

THE PROSECUTOR

Against

ISSA HASSAN SESAY

also known as (aka) ISSA SESAY

CASE NO. SCSL – 2003 – 05 – PT

**REQUEST FOR LEAVE TO FILE RESPONSE TO DEFENCE OBJECTION TO
EVIDENCE FILED AS REPLY EVIDENCE IN THE PROSECUTION MOTION
FOR IMMEDIATE PROTECTIVE MEASURES FOR WITNESSES AND VICTIMS
AND FOR NON-PUBLIC DISCLOSURE**

Office of the Prosecutor:

Luc Côté, Chief of Prosecutions

Brenda J. Hollis, Senior Trial Counsel

Defence Counsel:

William Hartzog

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1. On 29 April 2003 the Prosecution filed its Reply to Response of Defence Office to “*Prosecution Motion For Immediate Protective Measures For Witnesses and Victims and For Non-Public Disclosure*”
2. William Hartzog was appointed to represent the Accused, effective 1 May 2003.
3. On 7 May 2003, 6 days after the effective date of his appointment, Defence Counsel filed *Defence Objection To Evidence Filed As Reply Evidence In The Prosecution Motion For Immediate Protective Measures For Witnesses and Victims And For Non-Public Disclosure*. However it may have been captioned, this pleading is, in essence, a further response to the Prosecution Reply.

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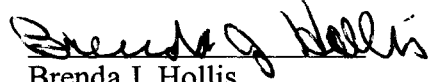
4. No such pleading is specifically permitted in the Special Court Rules of Procedure and Evidence or the Practice Direction On Filing Documents Before the Special Court for Sierra Leone. Despite this, and inconsistent with the Court's authority to control the proceedings, the Defence objection was apparently filed without first seeking leave of the Court or showing good cause for the additional filing.
5. The Court could reject the untimely, unauthorized Defence pleading. Should the Court accept the Defence pleading, the Prosecution requests leave to file a response. Unlike the Prosecution Reply, the Defence further response does raise new issues, both as to the procedure followed and as to the merits of the argument advanced. The Prosecution requests leave to address these new issues.

Freetown, 12 May 2003

For the Prosecutor,



Luc Côté
Chief of Prosecutions



Brenda J. Hollis
Senior Trial Counsel