

054

SCSL-2003-07-PT-054
(987-989)



SPECIAL COURT FOR SIERRA LEONE

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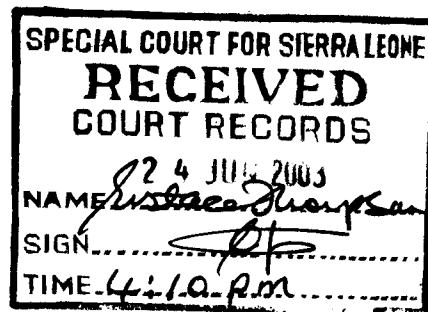
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THE TRIAL CHAMBER

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

Registrar: Robin Vincent

Date: 24 June 2003



The Prosecutor against

Morris Kallon
(Case No.SCSL-2002-07-PT)

**ORDER ON THE DEFENCE APPLICATION FOR EXTENSION OF TIME TO FILE
REPLY TO PROSECUTIONS RESPONSE TO PRELIMINARY MOTIONS**

Office of the Prosecutor:
Luc Côté, Chief of Prosecutions

Defence Counsel:
James Oury
Steven Powles

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

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

BEING SEIZED of the Defence Application for Extension of Time to File Reply to Prosecution Response to Preliminary Motions of the 19 June 2003 (“the Application”) and the Prosecution Response thereto on the 23 June 2003 (“the Response”);

CONSIDERING the Defence Preliminary Motion Based on Lack of Jurisdiction/ Abuse of Process: Amnesty Provided by Lomé Accord of the 16 June 2003 and the Defence Preliminary Motion Based on Lack of Jurisdiction: Establishment of the Special Court Violates Constitution of Sierra Leone of the 16 June 2003;

CONSIDERING the Prosecution Response to the First Defence Preliminary Motion (Lomé Accord), and the Prosecutions Response to the Second Preliminary Motion (Constitution of Sierra Leone) of the 23 June 2003 (“the Responses on Preliminary Motions”);

CONSIDERING that the Application states that Defence Counsels, due to other official obligations arranged beforehand, will not be in the United Kingdom from the 20 June to the 25 June 2003;

CONSIDERING that in accordance with Rule 7 of the Rules of Procedure and Evidence (“the Rules”) a reply to the Prosecution Responses on Preliminary Motions should be filed by the 26 June 2003;

CONSIDERING that the Defence seeks to be granted an extension of time until the 30 June 2003 to file its replies to the Prosecution Responses on Preliminary Motions;

AFTER HAVING DELIBERATED:

CONSIDERING the Statute and the Rules and in particular Rule 7 and Rule 54 of the Rules;

CONSIDERING that under Rule 7 of the Rules it remains to the discretion of the Chamber to extend or abbreviate the time limits for Responses and Replies without particular requirements;

CONSIDERING FURTHER that the Trial Chamber retains that such an extension or abbreviation should only be granted in exceptional circumstances or for good cause;

NOTING that such exceptional circumstances may exist when the circumstances rest outside the parties' power or control to file their written brief within the time limits;

CONSIDERING that the Defence Counsels due to their unavoidable absence from the office will not be able to properly research and prepare its replies to the Prosecutor's Responses on Preliminary Motions;

FOR THESE REASONS THE SPECIAL COURT

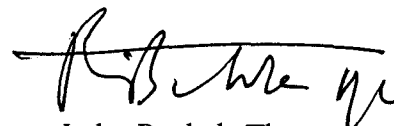
HEREBY GRANTS an extension of time until the 30 June 2003 to file a reply to:

- (i) The Prosecution Response to the First Defence Preliminary Motion (Lomé Accord),

and

- (ii) the Prosecution Response to the Second Preliminary Motion (Constitution of Sierra Leone).

Done at Freetown, Sierra Leone, this 24th day of June 2003


 Judge Bankole Thompson
 Presiding Judge



[Seal of the Special Court]