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SCSL-04-15-T  
(24725 - 24726)

24725.

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

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

**Registrar: Mr. Herman von Hebel**

**Date filed: 7 March 2008**

**THE PROSECUTOR**

**against**

**ISSA HASSAN SESAY  
MORRIS KALLON  
AUGUSTINE GBAO**

**Case No. SCSL -2004-15-T**

**PUBLIC**

**GBAO-RESPONSE TO SESAY DEFENCE APPLICATION FOR ADMISSION OF THE WITNESS  
STATEMENT OF DIS 129 UNDER RULE 92BIS OR, IN THE ALTERNATIVE, UNDER RULE  
92TER**

**Office of the Prosecutor**

Peter Harrison  
Vincent Wagona  
Charles Hardaway  
Reginald Fynn

**Defence Counsel for Issa Sesay**

Wayne Jordash  
Sareta Ashraph

**Defence Counsel for Morris Kallon**

Charles Taku  
Kennedy Ogetto  
Lansana Dumbuya  
Tanoo Mylvaganam

**Court Appointed Counsel for  
Augustine Gbao**

John Cammegh  
Scott Martin

SPECIAL COURT FOR SIERRA LEONE  
**RECEIVED**  
COURT MANAGEMENT  
07 MAR 2008  
NAME MAUREEN EDWARDS  
SIGN ME Edwards  
TIME 14:03

1. On 6 March 2008, Defence counsel for Issa Sesay filed a motion for admission of written evidence of DIS 129 witnesses pursuant to rule 92*bis*, or in the alternative pursuant to rule 92*ter*.<sup>1</sup> It seeks to have the written statement of DIS 129 to be admitted into evidence under rule 92*bis* without examination in chief or cross-examination, or in the alternative to have the written statement admitted under rule 92*ter*.
2. Defence counsel for the Third Accused wishes to state that, in the interests of expediency, it does not oppose the admission of the witness statement of DIS 129 under rule 92*bis* or 92*ter*. Defence counsel for the Third Accused does not intend to cross-examine the witness.

Done at Freetown, 7 March 2008.



pp John Cammegh,  
Lead Counsel for Augustine Gbao.

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<sup>1</sup> *Prosecutor v. Sesay, Kallon and Gbao*, Doc. N. SCSL-2004-15-T-1036, Urgent Sesay Defence Application for the Admission of the Witness Statement of DIS 129 under Rule 92*bis* or, in the Alternative, under 92*ter*, 6 March 2008.