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SCSL-2004-15-T
(11292-11297)

11292

SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown – Sierra Leone

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

Registrar: Mr. Robin Vincent

Date filed: 29 April 2005

THE PROSECUTOR

Against

**Issa Hassan Sesay
Morris Kallon
Augustine Gbao**

Case No. SCSL – 2004 – 15 – T

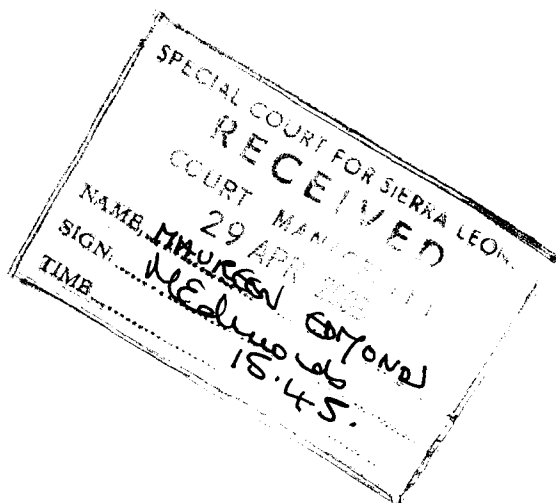
**URGENT APPLICATION FOR AN EXTENSION OF TIME FOR COMPLIANCE
WITH THE ORDER FOR COMPLIANCE OF PROSECUTION WITH RULE 94
BIS DATED 9 MARCH 2005**

Office of the Prosecutor:
Luc Côté
Lesley Taylor

Defence Counsel for Issa Hassan Sesay
Wayne Jordash
Sareta Ashraph

Defence Counsel for Morris Kallon
Shekou Touray
Vincent Nmehielle
Melron Nicol-Wilson

Defence Counsel for Augustine Gbao
Andreas O'Shea
John Cammegh



Special Court for Sierra Leone
OFFICE OF THE PROSECUTOR
Freetown – Sierra Leone

THE PROSECUTOR

Against

**Issa Hassan Sesay
Morris Kallon
Augustine Gbao**

Case No. SCSL – 2004 – 15 – T

**URGENT APPLICATION FOR AN EXTENSION OF TIME FOR COMPLIANCE
WITH THE ORDER FOR COMPLIANCE OF PROSECUTION WITH RULE 94
BIS DATED 9 MARCH 2005**

1. On 9 March 2005 the Trial Chamber issued the Order for Compliance of Prosecution with Rule 94 *Bis* (“the Order”) in which the Prosecution was ordered to disclose to the Defence any expert reports it will seek to rely on at trial before 5.00 pm on 4 May 2005.
2. Pursuant to the Order the Prosecution has taken steps to secure all expert reports in time to meet the deadline. One such report is from Colonel Richard Iron (TF1-301), who will be called as a military expert. Colonel Iron is currently resident in the United States of America. His expert report has been completed and was dispatched to the Special Court in Freetown on 28 April 2005 via UPS Worldwide Express.
3. At the time the report was dispatched, the delivery date quoted was 2 May 2005. Annexed hereto is a copy of an email from Sergeant Carnell, assistant to Colonel Iron, setting out this information. However, UPS Worldwide Express has sent an email stating that the expected date of delivery is 5 May 2005. Annexed hereto is a copy the email from UPS Worldwide Express confirming these details.

4. The Prosecution will not now be able to comply with the Order in so far as it relates to the report of Colonel Iron. The Prosecution will comply with the Order in respect of all other expert reports.
5. The Prosecution notes that it is not possible to obtain a complete copy of the report of Colonel Iron electronically. The report contains numerous maps and photographs that make the document too large to transmit via email, even when broken into sections.
6. In these circumstances the Prosecution requests an extension of time to comply with the Order only in so far as it applies to the expert report of Colonel Iron. The Prosecution respectfully requests that the extension of time be allowed to 5.00pm on 5 May 2005 or, alternatively, that the Prosecution file the report as soon as the report is received.

Dated this 29th Day of April

In Freetown,

Sierra Leone



Lesley Taylor
Senior Trial Counsel

11295

ANNEXURES

11296



"Carnell, Shane "
<carnell@act.nato.int>
04/29/2005 02:42 PM

To "taylor11@un.org" <taylor11@un.org>
cc "Iron, Richard" <iron@act.nato.int>
bcc
Subject RUF REPORT

Lesley,

The RUF report was despatched Thu 28 Apr 05 @ 1600 hrs using UPS to the address provided.
Contents include 10 x copies of the report + 1 x CD.

Delivery was quoted as close of play on Mon 02 May 05.

Tracking number of the package is: 1ZA4X7236600014241

S Carnell
SSgt
UK NLR Admin
001 757 747 4012

11297



"DeliverAbility - deliverability"
<fromEmail@officedepot.com

>

04/29/2005 10:00 AM

To taylor11@un.org

cc

bcc

Subject Notification

DO NOT REPLY TO THIS MESSAGE!!!

This email was automatically generated by the DeliverAbility Shipping System at the Shipper's request. Any reply to this email will not be received by the Shipper, the Carrier or by DeliverAbility Support. Please contact the Shipper directly if you have any questions regarding the referenced shipment.

A package has been sent to Lesley Taylor, from shane carnell. It should arrive by 5/2/2005 EOD via UPS.

SHIPMENT DETAILS:

Carrier: UPS, UPS Worldwide Express SM
Tracking #: 1ZA4X7236600014241
Date Shipped: 4/28/2005
Date Expected: 5/2/2005 EOD

SENT TO:

Lesley Taylor
United Nations - Senior Trial Attorney
Special Court for Sierra Leone
Jomo Kenyatta Road, New England
Freetown,
taylor11@un.org

SENT BY:

shane carnell
HQ SACT - COL IRON
2205 Willow Oak Circle
apt 108
va beach, VA 23451
carnell@act.nato.int

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