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SPECIAL COURT FOR SIERRA LEONE

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TRIAL CHAMBER I

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

Registrar: Mr. Lovemore G. Munlo SC

Date: 5th of March 2007

PROSECUTOR **Against** **ISSA HASSAN SESAY**
MORRIS KALLON
AUGUSTINE GBAO
(Case No. SCSL-04-15-T)

Public Document

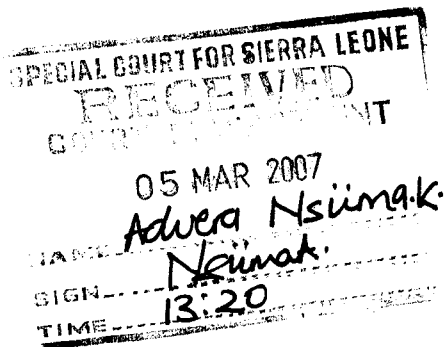
**DECISION ON GBAO DEFENCE REQUEST FOR EXTENSION OF TIME FOR FILING OF
JOINT STATEMENT**

Office of the Prosecutor:
James C. Johnson
Peter Harrison

Defence Counsel for Issa Hassan Sesay:
Wayne Jordash
Sareta Ashraph

Defence Counsel for Morris Kallon:
Shekou Touray
Charles Taku
Melron Nicol-Wilson

Court Appointed Counsel for Augustine Gbao:
Andreas O'Shea
John Cammegh



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TRIAL CHAMBER I ("Trial Chamber") of the Special Court for Sierra Leone ("Special Court") composed of Hon. Justice Bankole Thompson, Presiding Judge, Hon. Justice Pierre Boutet, and Hon. Justice Benjamin Mutanga Itoe;

RECALLING this Chamber's Scheduling Order Concerning the Preparation and the Commencement of the Defence Case, issued on the 30th of October 2006, ("Scheduling Order") ordering each Defence Team to file, no later than the 16th of February 2007, various materials in preparation for the commencement of the Defence case ("Materials") including, together with the Office of the Prosecutor ("Prosecution"), a joint "statement of agreed facts and matters which are not in dispute as well as a joint statement of contested matters of fact and law" ("Joint Statement of Agreed Facts");

MINDFUL of this Chamber's subsequent Decision and Order on Defence Application for an Adjournment of 16th of February Deadline for Filing of Defence Material, issued on the 7th of February 2007, granting in respect of all Defence teams applications by Counsel for the First and Second Accused for extension of time to file the said Materials until the 5th of March 2007;

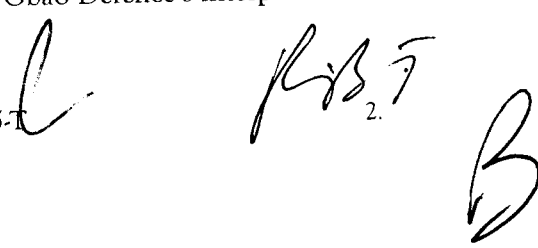
MINDFUL of this Chamber's Decision on Sesay Defence Application for Extension of Time to File a "Joint Statement of Agreed Facts" filed on 27th February 2007 granting the Application by Defence Counsel for the First Accused, Issa Sesay and ordering the Sesay Defence and the Prosecution to file their Joint Statement of Agreed Facts within 7 days of the return of the Accused Sesay to the jurisdiction of the Special Court;

SEIZED of the Request for Extension of Time for Filing of Joint Statement filed publicly by Court Appointed Counsel for the Third Accused, Augustine Gbao, ("Gbao Defence") on the 2nd of March 2007 and served on the 5th of March 2007 ("Request");

MINDFUL of the rights of the Accused, and in particular of the provisions of Article 17 of the Statute of the Special Court on the right to have adequate time and facilities for the preparation of his defence;

CONSIDERING that the Scheduling Order is clear and unambiguous in ordering that each Defence team should *separately* file a statement of facts agreed between the Defence team and the Prosecution;

FINDING that the Gbao Defence's interpretation of this Order in its Request is misconceived;

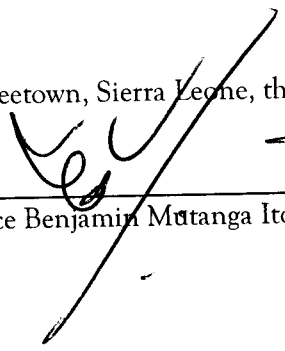


SATISFIED that in the present circumstances there does not exist good and sufficient cause or exceptional circumstance to grant an extension of time;

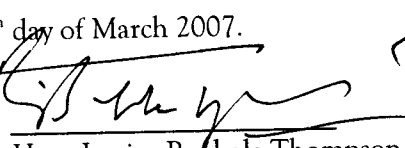
PURSUANT to Rule 7bis, 54 and 73ter(B) of the Rules of Procedure and Evidence;

HEREBY DISMISSES the Request

Done at Freetown, Sierra Leone, this 5th day of March 2007.



Hon. Justice Benjamin Mutanga Itoe



Hon. Justice Bankole Thompson
Presiding Judge
Trial Chamber I



Hon. Justice Pierre Boutet

[Seal of the Special Court for Sierra Leone]

