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SCSL-04-15-A  
(5096-5097)



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**SPECIAL COURT FOR SIERRA LEONE**

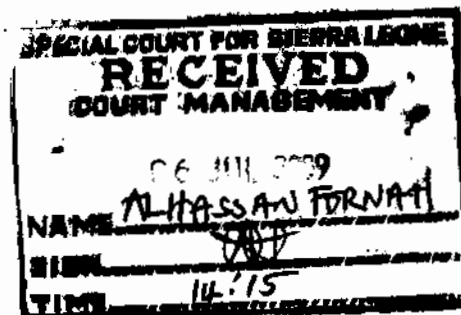
**IN THE APPEALS CHAMBER**

**Before:** Justice Renate Winter, Presiding Judge  
Justice Jon M. Kamanda  
Justice George Gelaga King  
Justice Emmanuel Ayoola  
Justice Shireen Avis Fisher

**Acting Registrar:** Binta Mansaray

**Date:** 6 July 2009

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



**DECISION ON REQUEST THAT THE APPEALS CHAMBER ADMIT ADDITIONAL EVIDENCE FROM PROSECUTOR V. TAYLOR**

**Office of the Prosecutor:**  
Christopher Staker  
Vincent Wagana  
Nina Jørgensen  
Reginald Fynn  
Elisabeth Baumgartner  
Régine Gachoud

**Defence Counsel Issa Hassan Sesay:**  
Wayne Jordash  
Sareta Ashraph  
Jared Kneitel

**Defence Counsel for Morris Kallon:**  
Charles Taku  
Kennedy Ogeto

**Defence Counsel for Augustine Gbao:**  
John Cammegh  
Scott Martin

**THE APPEALS CHAMBER** of the Special Court for Sierra Leone (“Appeals Chamber”) composed of Justice Renate Winter, Presiding Judge, Justice Jon M. Kamanda, Justice George Gelaga King, Justice Emmanuel Ayoola and Justice Shireen Avis Fisher;

**SEIZED** of the motion entitled “Public Request that the Appeals Chamber Admit Additional Evidence from *Prosecutor v. Taylor*,” filed on 29 June 2009 (the “Motion”) by the Defence counsel for Issa Hassan Sesay (“Sesay Defence”);

**NOTING** that the Prosecution has not yet filed its submissions in response;

**CONSIDERING** that the Sesay Defence filed the Motion “[p]ursuant to Rule 115”<sup>1</sup> before the Appeals Chamber and “requests that the Appeals Chamber introduced the additional evidence from *Taylor* and reverse the relevant findings and convictions and/or order any other appropriate remedy”;<sup>2</sup>

**CONSIDERING** that Rule 115(A) of the Rules of Procedure and Evidence (“Rules”) requires that an application to present additional evidence before the Appeals Chamber must be made by motion to the Pre-Hearing Judge;

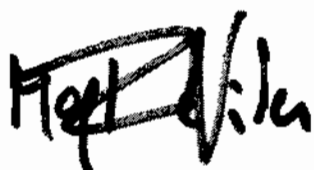
**FINDING** the Motion as improperly filed;

**DISMISSES** the Motion;

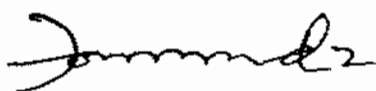
**HOWEVER, CONSIDERING** that the Motion was timely filed, but that the time limit for filing as provided in Rule 115(A) of the Rules has now elapsed;

**GRANTS** the Sesay Defence extension of time and liberty to file the Motion before the Pre-Hearing Judge within one day from the filing of this ruling.

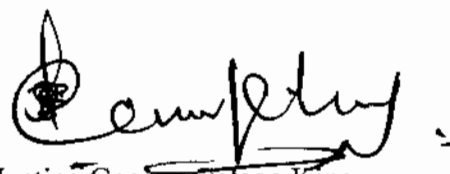
Done this 6th day of July 2009 at Freetown, Sierra Leone.



Justice Renate Winter,  
Presiding



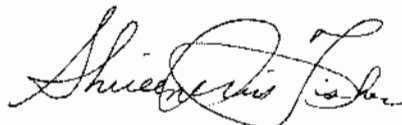
Justice Jon M. Kamanda



Justice George Gelaga King



Justice Emmanuel Ayoola



Justice Shireen Avis Fisher

[Seal of the Special Court for Sierra Leone]



<sup>1</sup> Motion, para. 1.

<sup>2</sup> Motion, para. 35.