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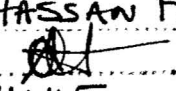
26432

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

Before: Justice Richard Lussick, Presiding
Justice Teresa Doherty
Justice Julia Sebutinde
Justice El Hadji Malick Sow, Alternate Judge

Acting Registrar: Ms. Binta Mansaray

Date filed: 28 October 2009

SPECIAL COURT FOR SIERRA LEONE	
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THE PROSECUTOR

Against

Charles Ghankay Taylor

Case No. SCSL-03-01-T

PUBLIC

**PROSECUTION REPLY TO DEFENCE RESPONSE TO PROSECUTION MOTION FOR RELIEF IN
RESPECT OF THE REQUIREMENTS OF RULE 67**

Office of the Prosecutor:

Ms. Brenda J. Hollis
Mr. Nicholas Koumjian
Ms. Kathryn Howarth

Counsel for the Accused:

Mr. Courtenay Griffiths Q.C.
Mr. Terry Munyard
Mr. Andrew Cayley
Mr. Morris Anyah
Mr. Silas Chekera
Mr. James Supuwood

I. INTRODUCTION

1. The Prosecution files this Reply to the “Public Defence Response to Prosecution Motion for Relief in Respect of the Requirements of Rule 67”.¹

II. REPLY

2. In its Response, the Defence explains that although during the course of the Accused’s testimony, Lead Defence Counsel referred to the fact that the Accused was relying on an “alibi”,² the Defence does not in fact rely on the Accused’s location on the night of 8 May 2000 as an alibi defence.³
3. As a result of this concession by the Defence, the point is rendered moot. The Prosecution therefore requests the Trial Chamber’s permission to withdraw the Motion.⁴
4. The Prosecution notes that in the witness summaries provided by the Defence to the Prosecution, no indication is given that any Defence witness will provide evidence about the Accused’s whereabouts on the night of the 8th May. Given that this is a material fact, the Defence is of course under an obligation to provide the Prosecution with timely notice of any evidence to be given regarding the same on a timely basis. It is not for the Prosecution to guess who will testify regarding this material fact but for the Defence to give the Defence timely notice of it.

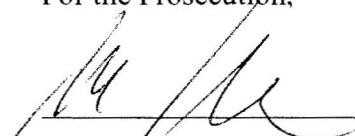
III. CONCLUSION

5. The Prosecution therefore requests the Trial Chamber’s permission to withdraw the Motion as the matter has been rendered moot.

Filed in The Hague,

28 October 2009

For the Prosecution,


Brenda J. Hollis
Principal Trial Attorney

¹ *Prosecutor v. Taylor*, SCSL-03-01-T-847, “Public Defence Response to Prosecution Motion for Relief in Respect of the Requirements of Rule 67,” 26 October 2009 (“**Response**”).

² Response, para 7.

³ Response, esp. at paras 10 and 15.

⁴ *Prosecutor v. Taylor*, SCSL-03-01-T-842, “Confidential Prosecution Motion for Relief in Respect of the Requirements of Rule 67,” 1 October 2009.

LIST OF AUTHORITIES**Prosecutor v. Taylor, SCSL-03-01-T**

1. *Prosecutor v. Taylor*, SCSL-03-01-T-842, “Confidential Prosecution Motion for Relief in Respect of the Requirements of Rule 67”, 1 October 2009.
2. *Prosecutor v. Taylor*, SCSL-03-01-T-847, “Public Defence Response to Prosecution Motion for Relief in Respect of the Requirements of Rule 67”, 26 October 2009.