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SCSL - 04-14-T  
(20137 - 20138)

20137



**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: 23<sup>rd</sup> November 2006

SPECIAL COURT FOR SIERRA LEONE  
**RECEIVED**  
 COURT MANAGEMENT  
 23 NOV 2006  
 NAME THOMAS GEORGE  
 SIGN [Signature]  
 TIME 10:29

PROSECUTOR **Against** SAM HINGA NORMAN  
 MOININA FOFANA  
 ALLIEU KONDEWA  
 (Case No.SCSL-04-14-T)

**Public Document**

**ORDER ON RE-FILING OF KONDEWA FINAL TRIAL BRIEF**

Office of the Prosecutor:

Christopher Staker  
 James Johnson  
 Joseph Kamara  
 Kevin Tavener  
 Mohammed A. Bangura

Court Appointed Counsel for Sam Hinga Norman:

Dr. Bu-Buakei Jabbi  
 John Wesley Hall, Jr.  
 Alusine Sani Sesay

Court Appointed Counsel for Moinina Fofana:

Steven Powles  
 Victor Koppe  
 Arrow Bockarie  
 Michiel Pestman

Court Appointed Counsel for Allieu Kondewa:

Charles Margai  
 Yada Williams  
 Ansu Lansana

**TRIAL CHAMBER I** ("The 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;

**NOTING** The Chamber's "Order for Filing Final Trial Briefs and Presenting Closing Arguments" of the 29<sup>th</sup> of September, 2006 ("Order for Final Trial Briefs");

**NOTING** that pursuant to the Order for Final Trial Briefs, Counsel for Kondewa filed the "Final Trial Brief of the Third Accused Allieu Kondewa" ("Kondewa Final Brief") on the 22<sup>nd</sup> of November 2006;<sup>1</sup>

**NOTING** that in various places, the Kondewa Final Brief provides only the date of testimony and not the specific transcript page references (e.g. "Joseph Lansana (28/9/06) (contradicting TF2-014 (10/3/05)", Kondewa Final Brief, page 6.)

**CONSIDERING** that the Kondewa Final Brief is not in compliance with The Chamber's Order for Final Trial Briefs, which specifies:

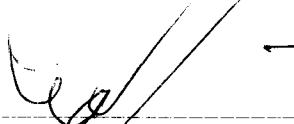
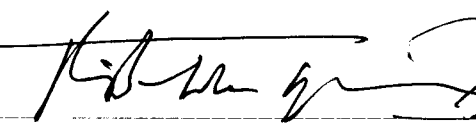
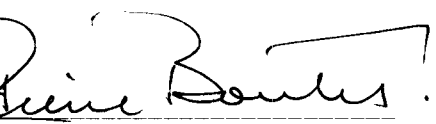
- 5. The final trial brief by each Party shall be presented as a brief set of arguments or propositions as to why a particular count should be upheld or rejected, addressing specific allegations in each count and the responsibility of the Accused, and it shall include references to the names of the witnesses and Exhibits *with transcript page references* made either in footnotes or in brackets;<sup>2</sup>

**PURSUANT** to Rule 54 of the Special Court Rules of Procedure and Evidence;

**HEREBY ORDERS** as follows:

- 1) Court Appointed Counsel for the Third Accused shall re-file the Kondewa Final Brief and shall ensure that every reference to the testimony of witnesses is supported by the date and transcript page reference of the testimony in question, by 10.00 a.m. on the 24<sup>th</sup> of November, 2006.

Done in Freetown, Sierra Leone, this 23<sup>rd</sup> day of November 2006.

Hon. Justice Benjamin Mutanga Itoe

Hon. Justice Bankole Thompson

Hon. Justice Pierre Boutet

Presiding Judge

Trial Chamber I

[Seal of the Special Court for Sierra Leone]



<sup>1</sup> SCSL-04-14-T-736.

<sup>2</sup> SCSL-04-14-T-703, p. 4. [Emphasis added.]