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SCSL-04-15-T
(27209-27212)

27209

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

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

Registrar: Mr. Herman von Hebel

Date filed: 18 July 2008

THE PROSECUTOR

Against

Issa Hassan Sesay
Morris Kallon
Augustine Gbao

Case No. SCSL-04-15-T

PUBLIC

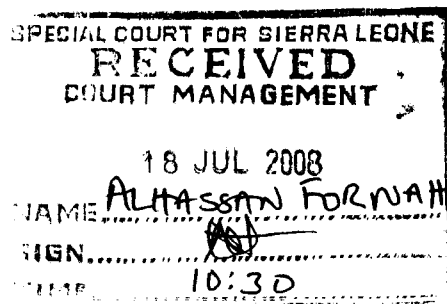
**URGENT PROSECUTION MOTION FOR RELIEF TO FILE A FINAL BRIEF NOT EXCEEDING
600 PAGES**

Office of the Prosecutor:
Pete Harrison
Vincent Wagona

Defense Counsel for Sesay
Wayne Jordash
Sareta Ashraph

Defense Counsel for Kallon
Charles Taku
Kennedy Ogeto
Tanoo Mylvaganam

Defense Counsel for Gbao
John Cammegh
Scott Martin



I. INTRODUCTION

1. The Prosecution files this motion asking the Trial Chamber for relief to file a final brief not exceeding 600 pages.
2. The Prosecution requests that this motion be dealt with by the Trial Chamber as a matter of urgency and that the Trial Chamber order expedited filings in relation to this motion.

II. ARGUMENT

3. On 29 April 2008, the Trial Chamber ordered that the length of the Prosecution final trial brief shall not exceed 500 pages.¹
4. Although the Prosecution has attempted to comply with the page limit, and is continuing to revise its final trial brief, the Prosecution has concluded that in order to respond to the different positions it anticipates the Defence will be taking, it will require a limit of 600 pages. The First Accused has requested an extension of 400 to 600 pages. The Prosecution was considering making this application before it learned of the First Accused's motion. A response to the motion of the First Accused will be filed today.
5. The Prosecution submits that by giving the relief sought, the Defence would not suffer any undue prejudice. The Prosecution bears the burden of proof and each Accused is currently entitled to file a brief of 400 pages,² resulting in a total of 1200 pages for the Defence.
6. The Prosecution suggested a 500 page limit, thinking this would suffice to set out its case in an accurate manner.³ It was also guided by the AFRC case containing the same page limit.⁴ However, the RUF indictment contains 18 counts as compared to 14 in the AFRC Indictment. Therefore, in order for it to fulfill its duty the Prosecution believes that the 500 page limit does not suffice. Allowing an additional 100 pages would assist the Court in analyzing the evidence.
7. It is therefore in the interests of justice to grant the motion accordingly.

¹ *Prosecutor v. Sesay, Kallon and Gbao*, SCSL-04-15-T-1106, "Order for the Filing of Final Trial Briefs and Presentation of Closing Arguments", 29 April 2008, para. 4.

² *Ibid.*, para. 2.

³ *Prosecutor v. Sesay, Kallon and Gbao*, Trial Transcript, 12 March 2008 (Status Conference), p.59.

⁴ *Prosecutor v. Brima, Kamara and Kanu*, SCSL-04-14-T-594, "Decision on Urgent Prosecution Motion for Relief to File a Final Brief Not Exceeding 500 Pages", 28 November 2006.

III. RELIEF SOUGHT

8. That leave be granted to the Prosecution that it may file a final trial brief up to 600 pages in length.

Filed in Freetown
18 July 2008
For the Prosecution,



Pete Harrison

INDEX OF AUTHORITIES**Motions**

Prosecutor v. Sesay, Kallon and Gbao, SCSL-04-15-T-1106, “Order for the Filing of Final Trial Briefs and Presentation of Closing Arguments”, 29 April 2008.

Decisions

Prosecutor v. Brima, Kamara and Kanu, SCSL-04-14-T-594, “Decision on Urgent Prosecution Motion for Relief to File a Final Brief Not Exceeding 500 Pages”, 28 November 2006.

Transcripts

RUF Trial Transcript, 12 March 2008, p.59.