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SCSL-03-01-T
(23549-23552)

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SPECIAL COURT FOR SIERRA LEONE

OFFICE OF THE PROSECUTOR

Freetown – Sierra Leone

APPEALS CHAMBER

Before: Justice Renate Winter, President

Registrar: Herman von Hebel

Date filed: 12 December 2008

SPECIAL COURT FOR SIERRA LEONE	
RECEIVED	
COURT MANAGEMENT	
THE HAGUE	
12 DEC 2008	
NAME	RACHEL IRURA
SIGN	<i>[Signature]</i>
TIME	14:53 HRS

THE PROSECUTOR

Against

Charles Ghankay Taylor

Case No. SCSL-03-01-T

PUBLIC

**PROSECUTION REQUEST FOR EXPEDITED FILINGS AND FOR LEAVE TO FILE NOTICE OF
APPEAL AND SUBMISSIONS DURING JUDICIAL RECESS**

Office of the Prosecutor:

Ms. Brenda J. Hollis

Ms. Leigh Lawrie

Counsel for the Accused:

Mr. Courtenay Griffiths Q.C.

Mr. Andrew Cayley

Mr. Terry Munyard

Mr. Morris Anyah

I. INTRODUCTION

1. The Prosecution requests an order: (a) for expedited filing of Prosecution Notice of Appeal and Submissions and that the Prosecution be permitted to file this pleading on 19 December 2008; (b) that the Court Management Section of the Registry in The Hague accept the filing on that date and effect service on the Defence on the same date; (c) that the Defence accept service of the filing on 19 December; and (d) that the Defence be ordered to file its Response on 5 January 2009.
2. On 12 September 2008 the President issued an order declaring the observation of a judicial recess from Monday, 15 December 2008 until Friday, 2 January 2009, inclusive, and further ordering that during this period the Court Management Section of the Registry will not accept any documents for filing¹.
3. On 21 September Trial Chamber II issued an oral decision that documentary evidence not presented through a witness must be tendered pursuant to Rule 92bis of the Rules of Procedure and Evidence rather than Rule 89(C). On 25 September 2008, the Prosecution filed a motion seeking leave to appeal that oral decision. By Decision dated 10 December 2008, a majority of Trial Chamber II, Justice Sebutinde dissenting, granted leave for the Prosecution to appeal the oral decision².
4. Pursuant to Rule 108(C), the Prosecution has seven (7) days to from the date of receipt of the Decision to file its notice and grounds of appeal. Because of the judicial recess, the Prosecution must file its notice and grounds of appeal on 5 January 2009.
5. Pursuant to paragraph 12, SCSL Practice Direction for Certain Appeals Before the Special Court, 30 September 2004, the Defence Response will be due within seven (7) days of service of the Prosecution Notice of Appeal and Submissions.

¹ Order Scheduling Judicial Recess, SCSL-03-01-T-590, 12 September 2008.

² Decision on Public Prosecution Application For Leave to Appeal Decision Regarding The Tender of Documents, *Prosecutor v. Taylor*, SCSL-03-01-T-691, 10 December 2008.

II. SUBMISSIONS

6. The Prosecution anticipates it will have called all the witnesses currently scheduled to testify by the end of January 2009. However, the date of the close of our case will also depend on decisions on outstanding evidentiary motions. There are several motions currently before the Trial Chamber which raise the issue which is the subject of appeal. Therefore, an expeditious appellate decision on this issue will help ensure an orderly and timely conclusion to the Prosecution case in chief.
7. For this reason, the Prosecution seeks to expedite its filing of the Notice of Appeal and Submissions, and requests permission to file its pleading on 19 December 2008.
8. The Prosecution also requests that the Defence be ordered to file its Response on 5 January 2009. The Prosecution is not seeking that the regular time period for a Response be ordered, which would be seven (7) days from the date of service of the Prosecution filing. Rather, the Prosecution requests an order that the Defence Response be filed on 5 January 2009, the date on which Responses falling due during the judicial recess would be filed and some 17 days after service of the Prosecution filing.

III. REQUEST

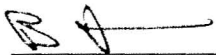
9. For the reasons stated above, the Prosecution requests the President to order as follows:
 - (a) expedited filing of the Prosecution Notice of Appeal and Submissions on 19 December 2008;
 - (b) that the Court Management Section of the Registry in The Hague accept the Prosecution filing on 19 December 2008 and effect service on the Defence on that date;
 - (c) that the Defence accept service of the filing on 19 December 2008; and

(d) that the Defence file its Response on 5 January 2009.

Filed in The Hague,

12 December 2008

For the Prosecution,



Brenda J. Hollis
Principal Trial Attorney