

**MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA**

UNITED STATES OF AMERICA

v.

**KHALID SHAIKH MOHAMMAD,
WALID MUHAMMAD SALIH
MUBARAK BIN ATTASH,
RAMZI BINALSHIBH,
ALI ABDUL AZIZ ALI,
MUSTAFA AHMED ADAM AL
HAWSAWI**

AE080G

ORDER

Joint Defense Motion
To Preserve Evidence of Any Existing
Detention Facility

19 December 2013

1. In AE 080, all the Accused requested the Commission order the government to “preserve any existing evidence of any overseas detention facility used to imprison any of the defendants or potential witnesses in this case, including maintaining any structure or fixture in its current state.” The Prosecution, both in their response (AE 080A) and in a closed session,¹ agreed to preserve such facilities, subject to necessary modification by Commission order.

2. The Motion of the Defense to preserve evidence of any existing overseas detention facilities within control of the United States is **GRANTED** subject to subsequent modification.

3. The Prosecution is directed to ensure the preservation of any overseas detention facilities still within control of the United States unless otherwise ordered by this Commission or other court of competent jurisdiction.

So Ordered this 19th day of December, 2013.

//s//
JAMES L. POHL
COL, JA, US Army
Military Judge

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