

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

UNITED STATES OF AMERICA

v.

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

AE 093A

RULING

Mr. al Baluchi's (Ali Abdul-Aziz Ali)
Motion to Request One-Time Audiovisual
Communication through the ICRC with Mr.
al Baluchi's Family

9 February 2013

1. Mr. al Baluchi has requested the Commission direct he be permitted to have communication with his family via a phone call, video-teleconference, or recorded video message in order to convey his condolences on the death of his father. The Government did not file a response, but indicated in oral argument their opposition to Mr. al Baluchi's request.
2. In his pleading, the accused cites no authority for this Commission to overrule the detention facility commander's decision in this matter. The Commission does not run detention facilities and will defer to the judgment of the facility commander unless that judgment impacts on the legal proceedings in some manner. *See Procunier v. Martinez*, 416 U.S. 396 (1974).
3. The accused has made no showing justifying intervention by the Commission on this issue.
4. Accordingly, the defense motion is DENIED.

So ORDERED this 9th day of February, 2013.

//original signed//
JAMES L. POHL
COL, JA, USA
Military Judge