

UNCLASSIFIED//FOR PUBLIC RELEASE
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	AE 182G ORDER Defense Motion to Possess and Resume Use of a Microsoft-Enabled Laptop Computer 17 June 2015
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1. The Accused filed a joint motion to compel the Government to return to their Defense Counsel the hard drives of the computers provided to each Accused by the Government and used by each Accused during and after the Commission proceedings initiated under the 2006 Military Commission Act.¹ Subsequently the Accused filed a motion to permit their counsel to provide them with a write-enabled laptop computer and specified software programs.² The Commission granted, in part, the request to return the computers³ and issued a companion order finding the motion to permit the Accused to use laptops moot.⁴
2. Mr. Mohammad has now filed a motion⁵ seeking clarification of the intent of the Commission in regard to providing the laptops to the Accused. The motion asserts the

¹ Joint Defense Motion for Return of Computer Hard Drive and Back-up DVDs, filed 20 March 2013 (AE 149).

² Defense Motion to Possess and Resume Use of a Microsoft-Enabled Laptop Computer, filed 25 June 2013 (AE 182).

³ Order, Joint Defense Motion for Return of Computer Hard Drive and Back-up DVDs, 22 November 2013 (AE 149L).

⁴ Order, Defense Motion to Possess and Resume Use of a Microsoft-Enabled Laptop Computer, 8 April 2105 (AE 182E).

⁵ Mr. Mohammad's Motion for Clarification AE182E Order, Defense Motion to Possess and Resume Use of a Microsoft-Enabled Laptop Computer, filed 29 April 2015 (AE 182F (KSM)).

receipt acknowledging transfer of the laptop to counsel for the Accused prohibited giving the laptop to the Accused absent further order of this Commission. Accordingly Mr. Mohammad has not had his computer returned for his use. The Government did not file a response to the motion.

3. The intent of the Commission was that the subject laptops were to be provided to the Accused for their use after Counsel had performed the required review of material on the laptop to ensure compliance with the information handling procedures of the amended Protective Order #1 and AE 018's Privileged Communications Order.

So ORDERED this 17th day of June, 2015.

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JAMES L. POHL
COL, JA, USA
Military Judge