

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 254RR**

**ORDER**

Government Motion  
For An Expedited Litigation Schedule  
To Resolve AE 254Y

26 January 2015

---

1. Mr. bin 'Attash filed a motion<sup>1</sup> alleging the use of female military personnel to physically move him, and in so doing, touching his body violates his religious beliefs.<sup>2</sup> According to the motion the use of female guards to move detainees is a new policy<sup>3</sup> and one of the consequences has been the refusal of Mr. bin 'Attash, among others, to meet with their counsel since it might require physical contact with a woman who is not his wife or close relative. The Government asked for an expedited litigation schedule<sup>4</sup> and the Commission directed that the Defense responses, if any, be filed by 20 January 2015.<sup>5</sup>
2. The Defense response<sup>6</sup> indicated a number of discovery and witness production issues that must be addressed before litigation on the underlying motion. The Prosecution request for expedited litigation is **DENIED**.

---

<sup>1</sup> Emergency Defense Motion to Bar Regulations Substantially Burdening Free Exercise of Religion and Access to Counsel, filed 17 October 2014 (AE 254Y).

<sup>2</sup> "The basis of Mr. bin 'Atash's objection to being touched by females to whom he is not related is his sincerely-held religious belief, as a devout Muslim, that his religion prohibits him from mixing or coming into contact with unrelated women due to the risk of sin;" *Id.* at para 3.

<sup>3</sup> *Id.*, para 5H.

<sup>4</sup> Government Motion For An Expedited Litigation Schedule To Resolve AE 254Y, filed 9 January 2015 (AE 254KK).

<sup>5</sup> Trial Conduct Order, Government Motion For An Expedited Litigation Schedule To Resolve AE 254Y, 13 January 2015 (AR 254MM).

<sup>6</sup> Mr. al Baluchi's Response to Government Motion for an Expedited Litigation Schedule to Resolve AE254Y, filed 20 January 2015 (AE 254OO (AAA)); Defense Response to Government Motion For an Expedited Litigation Schedule to Resolve AE 254Y, filed 20 January 2015 (AE 254OO (MAH));

3. Discovery and witness production motions will be placed on the docket for the February session of the Commission.

So **ORDERED** this 26th day of January, 2015.

//s//  
JAMES L. POHL  
COL, JA, USA  
Military Judge

---

Defense Response to AE254KK (GOV), Defense Response to AE254KK(GOV), filed 22 January 2015 (AE 254OO (WBA)); Mr. Mohammad's Response to AE 254KK (GOV), Government Motion For an Expedited Litigation Schedule to Resolve AE 254Y, filed 22 January 2015 (AE 254OO (KSM)); and Defense Motion to Compel Discovery Related to Access to Counsel, filed 21 January 2015 (AE 254PP (WBA)). *Note:* extensions of time to respond were granted for Mr. bin 'Attash (AE 254 -31) and Mr. Mohammad (AE 254-32).