

MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA

UNITED STATES OF AMERICA v. MAJID SHOUKAT KHAN	AE 016K Joint Notice In Response to AE 016J, Providing an Update on the Status of the Proposed Modification to the Pretrial Agreement 30 November 2015
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1. Timeliness:

This Notice is timely filed in accordance with the Commission's order in AE 016J, which instructed the parties to update the Commission no later than 01 December 2015 on the status of the Convening Authority's action on the proposed Modification of the Offer for Pretrial Agreement (PTA).

2. Notice:

Pursuant to his pleas, Mr. Khan was found guilty of all charged offenses on 29 February 2012. As part of the negotiated plea, Mr. Khan and the Convening Authority entered into a PTA (AE 012), which provided for a range of punishment and contemplated deferment of the sentencing proceeding for a period of four (4) years from the date that the Military Judge accepted Mr. Khan's guilty plea. On 21 February 2012, the prosecution and defense filed a joint motion (AE 005) requesting a Trial Scheduling Order setting milestone dates in preparation for that sentencing proceeding. The Trial Scheduling Order proposed in AE 005 was never entered as a scheduling order to govern the sentencing proceeding. On 9 July 2015, the Government requested the withdrawal of the 2012 proposed Trial Scheduling Order and the entry of a new

Trial Scheduling Order. (AE 016). The Government's motion (AE 016) seeking a Trial Scheduling Order was subsequently held in abeyance by this Commission on 22 October 2015 (AE 016J) pending action by the Convening Authority on a proposed Modification to Mr. Khan's PTA. On 07 October 2015 Mr. Khan and his counsel signed the proposed Modification and transmitted it to the Convening Authority for signature. On 20 November 2015, the Convening Authority took action by signing the proposed Modification to the PTA.

4. Certificate of Conference:

This is a joint notice from the Government and Defense.

5. Attachments

- A. Certificate of Service, dated 30 November 2015.
- B. Modification, dated 01 October 2015, to February 13, 2012 Offer for Pretrial Agreement (PTA).

Respectfully submitted,
By:

//s//
Mr. William J. Schneider
MAJ David Abdalla, JA, USA
Trial Counsel

//s//
LTC Jon S. Jackson, JA, USA
Mr. J. Wells Dixon
Ms. Katya Jestin
Defense Counsel

ATTACHMENT A

ATTACHMENT B

I recommend (acceptance) (rejection) of this MODIFICATION.

11/9/15
Date


Legal Advisor to the Convening Authority

The foregoing MODIFICATION is accepted and approved.

20 NOV 2015
Date


Convening Authority