

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

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**UNITED STATES OF AMERICA**

**v.**

**ABD AL HADI AL-IRAQI**

**AE 033**

**DOCKETING ORDER**

**23 February 2015**

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1. A hearing in this case will take place 23-25 March 2015, at the U.S. Naval Station, Guantanamo Bay, Cuba. The hearing will begin at 0900 hours on 23 March 2015.
2. This order amends the previously scheduled hearing dates in AE 015E. Sessions will not be held on 26-27 March 2015.
3. The Accused must be present for the sessions on 23-25 March 2015.
4. The Commission will hear argument and receive evidence, as required, on:
  - a. **AE 032:** Defense Motion to Dismiss for Unlawful Influence and Denial of Due Process for Failure to Provide an Independent Judiciary;
  - b. **AE 024:** Defense Motion to Dismiss Conspiracy as a Violation of The Ex Post Facto Clause.
5. A Rule for Military Commission (R.M.C.) 802 Conference will be conducted at **1700** on Sunday, 22 March 2015, in the Panel Deliberation Room located next to Courtroom 1 in AV 34. The parties are encouraged to conference in advance and agree on proposed changes to the Commission's planned order of argument, which is as listed above.
6. If required, a hearing under the provisions of Military Commission Rule of Evidence (M.C.R.E.) 505(h) will be conducted at a time to be determined. Pursuant to M.C.R.E. 505(h)(1)(C), the hearing will be *in camera* and closed to the public. The Accused will not be present.

7. The time which has transpired since arraignment until the date of the next session (23 March 2015) shall be considered excludable delay in accordance with R.M.C. 707(b)(4)(E)(i) and R.M.C. 707(c). I find that the interests of justice have been served by granting continuances for the resolution of interlocutory and other pretrial issues, and that the resolution of these issues outweighs the interests of the public and the accused in a prompt trial.

So **ORDERED** this 23rd day of February, 2015.

//s//  
J. K. WAITS  
CAPT, JAGC, USN  
Military Judge