

UNCLASSIFIED//FOR PUBLIC RELEASE
**MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA**

UNITED STATES OF AMERICA

v.

ABD AL HADI AL IRAQI

AE049J

Defense Notice
Regarding Representation

11 September 2015

1. Timeliness

This Notice is timely filed pursuant to the Commission's Order in AE049I.

2. Background

In AE049I the Commission ordered the Defense to:

- a. Inform Mr. Hadi al Iraqi of the Commission's ruling; and
- b. NLT 11 September 2015, inform the Commission via written notice whether Mr. Hadi al Iraqi has restored the Defense's full scope of representational duties.

3. Notice

The Defense has informed Mr. Hadi al Iraqi via letter of the Commission's ruling, including a complete copy of the ruling. We further attempted to meet with Mr. Hadi al Iraqi on Wednesday, September 9th, but he declined the meeting.

At this time Mr. Hadi al Iraqi has not restored the Defense's full scope of representational duties. As Mr. Hadi al Iraqi stated in court, on the record, he continues to desire independent civilian legal counsel prior to making a decision regarding representation.¹

¹ See Unofficial/Unauthenticated Transcript of the Abd al Hadi al-Iraqi Motions Hearings Dated 22 July 2015 at p.640

If the Commission wishes further detail regarding Mr. Hadi al Iraqi's position we request that those details be ordered to be provided *ex parte* under seal and reviewed by the Commission *in camera* as any further details may involve attorney-client privileged information.

4. Attachments

A. Certificate of Service, dtd 11 September 2015.

Respectfully Submitted,

//s//

THOMAS F. JASPER, Jr., LtCol, USMC
Detailed Defense Counsel

//s//

ROBERT B. STIRK, Major, USAF
Assistant Detailed Defense Counsel

/s//

ROBERT T. KINCAID, III, MAJ, USA
Assistant Detailed Defense Counsel

ATTACHMENT A

CERTIFICATE OF SERVICE

I certify that on 11 September 2015, I filed AE049J with the Office of Military Commissions Trial Judiciary and I served a copy on counsel of record.

//s//

ROBERT B. STIRK, Major, USAF
Assistant Detailed Defense Counsel