

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

UNITED STATES OF AMERICA

v.

ABD AL HADI AL-IRAQI

AE051D

Defense Reply
to Government Response to AE051A

16 September 2015

1. Timeliness: This reply is filed within the timeframe established by Rule for Military Commission (R.M.C.) 906 and is timely pursuant to Military Commissions Trial Judiciary Rule of Court (R.C.) 3.7.c.(l) and the Commission's order in AE051C.

2. Reply:

At this time the defense withdraws our request to continue the 21 September hearings. Based on information received after the filing of AE051A we agree with the Government that it is prudent to move forward on 21 September 2015 to place the resolution of the issue of our representation on the record.

We also believe it is appropriate to postpone the arguments on AE045, AE020S, AE035F, AE040F, AE042F and AE045G to the November 9 – 20 hearing dates. We object to the Government's request to pierce attorney-client privileged discussions regarding civilian counsel and to inquire into attorney work product related information regarding efforts to secure civilian counsel on behalf of Mr. Hadi al Iraqi. We believe any such inquiry would be wholly inappropriate.

3. List of Attachments:

A. Certificate of Service

Respectfully Submitted,

//s//

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

//s//

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

ATTACHMENT A

Filed with TJ
16 September 2015

Appellate Exhibit 051D (al Hadi)
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CERTIFICATE OF SERVICE

I certify that on 16 September 2015, I filed AE051D 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