

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

<b>UNITED STATES OF AMERICA</b>  v.  <b>ABD AL HADI AL-IRAQI</b>	<b>AE 056</b>  <b>DOCKETING ORDER</b>  <b>20 May 2016</b>
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1. A hearing in this case will take place 11–15 July 2016, at the U.S. Naval Station, Guantanamo Bay, Cuba. The hearing will begin at 0900 hours on 11 July 2016.

2. The Accused will be present on the first day of the July hearing (Monday, 11 July 2016), at which time he will be reminded of his right to be present during interlocutory proceedings at his option.

3. During the May 2016 hearing, the Defense stated four additional attorneys were in the process of being detailed to the Accused’s team and argued this was justification for a continuance.<sup>1</sup> In addition, the Defense has argued in pleadings that certain delay in the trial is attributable to the Government and has speedy trial implications. (*See* AE 015K at 10–13 and AE 055B at 18). If the Defense wishes to formally address these two issues, it must file appropriate motions **NLT 15 June 2016**. Furthermore, the Defense must submit their supplement, if any, to AE 045 **NLT 15 June 2016**. Government responses and Defense replies are due in accordance with Military Commissions Rule of Court 3.7 (5 May 2014).

4. During the 11–15 July 2016 hearing the Commission will hear argument and receive evidence, as required, on the following issues if raised in pleadings:

Defense Motion Related to Attribution of Delay

Defense Motion Related to Detailing of Additional Civilian Defense Counsel

AE 045: Defense Motion to Suppress Statements of the Accused

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<sup>1</sup> *See* Unofficial/Unauthenticated Transcript of the *US v. Abd al Hadi al-Iraqi* Motions Hearing Dated 17 May 2016 from 10:42 A.M. to 11:43 A.M. at pp. 723–28.

5. A Rule for Military Commission (R.M.C.) 802 Conference will be conducted at **1700** on Sunday, 10 July 2016, in the Panel Deliberation Room located next to Courtroom 1 in AV 34.

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 (11 July 2016) 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 20th day of May, 2016.

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