

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

UNITED STATES OF AMERICA

v.

ABD AL RAHIM HUSSAYN
MUHAMMAD AL NASHIRI

AE 332ZZ

RULING

**Second Reconsideration
of Defense Motion**

To Compel Production Of Witnesses In
Support Of AE 332X: Defense Renewed
Motion To Dismiss For Unlawful Influence

1 November 2016

1. During the October 2016 hearing, the Defense requested additional witnesses in support of AE 332X, Defense Renewed Motion to Dismiss for Unlawful Influence, filed 8 May 2015.* The Defense stated it required only two more witnesses, Mr. Edward Sheeran and Lieutenant Colonel (LTC) Patricia Lewis, and provided additional justification for production of both witnesses. (Transcript at 7112-7115). Although the Government had previously offered to produce LTC Lewis via video teleconference, the government opposed the production of both witnesses. (Transcript at 7115-7119).

2. Having considered the argument of the parties, the Commission **GRANTS** Defense's motion to compel the production of Mr. Sheeran and LTC Lewis. Accordingly, the Government shall ensure both witnesses are available to provide testimony via video teleconference during the December 2016 hearing.

So **ORDERED** this 1st day of November, 2016.

//s//

VANCE H. SPATH, Colonel, USAF
Military Judge
Military Commissions Trial Judiciary

* Unofficial/Unauthenticated Transcript of the US v. al Nashiri (2) Motions Hearing dated 19 October 2016 from 1:29 P.M. to 2:45 P.M. at pp. 7111.