

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

UNITED STATES OF AMERICA  v.  ABD AL RAHIM HUSSAYN MUHAMMAD AL NASHIRI	AE 339C  RULING  DEFENSE MOTION TO EXCUSE DEFENSE COUNSEL (DANELS, HURLEY, JACKSON)  3 NOVEMBER 2014
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1. The Accused is charged with multiple offenses in violation of the Military Commissions Act of 2009, 10 U.S.C. §§ 948 *et seq.*, Pub. L. 111-84, 123 Stat. 2574 (Oct. 28, 2009). He was arraigned on 9 November 2011.

2. The Defense filed AE 339A<sup>1</sup> requesting the Commission approve the “Chief Defense Counsel’s excusal of MAJ Thomas F. Hurley, USA; Maj Allison C. Danels, USAF; and Maj Daphne L. Jackson, USAF; and request that the military judge authorize the release of said counsel from future appearances before the commission.” AE 339A at 1. The Defense provided a signed writing from the accused releasing these three attorneys from future representation. AE 339A, Attachment B. The Prosecution responded with AE 339B,<sup>2</sup> stating “[T]he Commission should grant the defense requested relief and excuse defense counsel, MAJ Hurley, Maj Danels, and Maj Jackson.” AE 339B at 6. Neither side requested oral argument.

3. The Commission finds that the detailing authority has rescinded the detailing of MAJ Hurley, Maj Danels and Maj Jackson. The Commission finds that the attorney-client relationship between the Accused and MAJ Hurley, Maj Danels and Maj Jackson has been terminated with the consent of the Accused. The Defense’s motion, AE 339A, is **GRANTED**.

So **ORDERED** this 3rd day of November, 2015.

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

<sup>1</sup> AE 339A *Defense Motion to Excuse Defense Counsel (Danels, Hurley, Jackson)*, filed 7 October 2015.

<sup>2</sup> AE 339B *Government Response to Defense Motion to Excuse Defense Counsel (Danels, Hurley, Jackson)*, filed 21 October 2015.