

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

UNITED STATES OF AMERICA

v.

ABD AL RAHIM HUSSAYN
MUHAMMAD AL NASHIRI

AE 354G

RULING

Defense Motion to Compel Production of
Witness in Support of AE 354:
Defense Motion to Abate Proceedings Due to
Destruction of Evidence: Videotapes of
Mr. Al-Nashiri's Interrogations

7 March 2017

1. The Defense in AE 354C¹ requested the Commission compel the production of four (4) witnesses—designated as Witness A, Witness B, Witness C, and Witness D (AE 354E at 4-5)²—in support of AE 354³. The Defense has established these witnesses are relevant and necessary for the Commission to decide AE 354, pursuant to Rule for Military Commission 703(b)(2).

2. **Ruling.** The Defense Motion AE 354C is **GRANTED**.

So ORDERED this 7th day of March, 2017.

//s//

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

¹ AE 354C Defense Motion to Compel Production of Witness in Support of AE 354: Defense Motion to Abate Proceedings Due to Destruction of Evidence: Videotapes of Mr. Al-Nashiri's Interrogations, filed 13 October 2016.

² AE 354E Government Response to Defense Motion To Compel Production of Witnesses In Support of AE 354: Defense Motion to Abate Proceedings Due to Destruction of Evidence: Videotapes of Mr. Al-Nashiri's Interrogations, filed 19 October 2016.

³ AE 354 Defense Motion to Abate Proceedings Due to Destruction of Evidence: Videotapes of Mr. Al-Nashiri's Interrogations, filed 13 October 2016.