MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA

UNITED STATES OF AMERICA v. KHALID SHAIKH MOHAMMAD, WALID MUHAMMAD SALIH MUBARAK BIN 'ATTASH, RAMZI BIN AL SHIBH, ALI ABDUL AZIZ ALI, MUSTAFA AHMED ADAM AL HAWSAWI	**AE 004HH (RBS)** Mr. Bin al Shibh's Notice of Detailing and Appearance of Defense Counsel 13 March 2019

1. Pursuant to Military Commissions Trial Judiciary Rules of Court, Rule 4, notice is hereby given that Captain John Balouyizeh has been detailed as a military defense counsel for Ramzi bin al Shibh, and is entering an appearance.

2. Pursuant to Rule 502(d) of the Manual for Military Commissions, CPT Balouyizeh is a Judge Advocate certified as competent to perform duties as military defense counsel before general courts-martial by The Judge Advocate General of the United States Army.

A. CPT Balouyizeh is a graduate of an accredited law school, is a member in good standing of the bar of the State of New Jersey and the District of Columbia, and is admitted to the practice of law in the state of New Jersey and the District of Columbia.

B. CPT Balouyizeh has not been the subject of any sanction or disciplinary action by any court, bar, or other competent governmental authority for relevant misconduct.

C. CPT Balouyizeh has been determined to be eligible for access to information classified at the level of Top Secret and he is read-on to the applicable Special Access Program (SAP) national security programs.

D. CPT Balouyizeh has signed a written agreement to comply with all applicable regulations or instructions for counsel, including any rules of court for conduct during the proceedings and to protect any classified information received during the course of representation of the accused in accordance with all applicable law governing the protection of classified information, and to not divulge such information to any person not authorized to receive it.

3. Attachments:

    A. Certificate of Service

    B. Detailing Memorandum

Respectfully submitted,

//s//
JAMES P. HARRINGTON
Learned Counsel

//s//
ALAINA M. WICHNER
Defense Counsel

//s//
MISHAEL A. DANIELSON, LT, USN
Defense Counsel

ATTACHMENT A

CERTIFICATE OF SERVICE

I certify that on 13 March 2019, I electronically filed AE 004HH (RBS) Defense Notice of Detailing and Appearance of Defense Counsel and served it on all counsel of record by e-mail.

//s//
JAMES P. HARRINGTON
Learned Counsel

ATTACHMENT B

DEPARTMENT OF DEFENSE
CHIEF DEFENSE COUNSEL FOR MILITARY COMMISSIONS
1620 DEFENSE PENTAGON
WASHINGTON, DC 20301-1620

Bin al Shibh (10013)
12 March 2019

MEMORANDUM FOR CAPTAIN JOHN M. BALOUZIYEH, JAGC, U.S. ARMY

SUBJECT: Detailing as Defense Counsel in the Military Commission Case of
United States v. Ramzi Bin al Shibh (10013)

References: (a) R.T.M.C. 9-1(a)(5)
　　　　　　(b) R.M.C. 503(c)
　　　　　　(c) R.M.C. 502(d)(7)
　　　　　　(d) R.M.C. 506(a)

　　　　Pursuant to my authority as Chief Defense Counsel under references (a) – (d), and upon your signature on the Acknowledgement of Responsibilities, you are detailed as Defense Counsel to represent the accused in the military commission case of *United States v. Ramzi Bin al Shibh (10013)*.

J. G. BAKER
Brigadier General, U.S. Marine Corps
Chief Defense Counsel for
Military Commissions

Attachment:
Acknowledgement of Responsibilities

cc:
Learned Counsel
Defense Counsel
MCDO Front Office Distro

ACKNOWLEDGMENT OF RESPONSIBILITIES

I understand and represent that as Defense Counsel in the case of United States v. *Ramzi Bin al-Shibh (ISN 10013)*:

1. I am licensed to practice law in the state of New Jersey and Washington, DC.

2. It is my responsibility to defend my client zealously within the bounds of the law without regard to my personal opinion about his guilt or innocence, and to otherwise carry out the duties of defense counsel articulated in 10 U.S.C. § 949c(b) and the Discussion under Rule for Military Commission 502(d)(7).

3. I will comply with the procedures accorded the accused pursuant to 10 U.S.C. §§ 948a – 948d, the Manual for Military Commissions, and the Regulation for Trial by Military Commission.

4. In the event the military judge approves Mr. Bin al-Shibh's request to represent himself *pro se*, I will serve as standby counsel.

5. I have primary responsibility to prevent any conflicts of interest related to the handling of the cases to which I am detailed, including Mr. Bin al-Shibh (10013).

6. I shall fulfill all my responsibilities set forth in the Military Commissions Act of 2009, the Manual for Military Commissions, the Regulation for Trial by Military Commission, and those assigned by the Chief Defense Counsel.

7. I will at all times strictly comply with 10 U.S.C. §§ 949p-1 – 949p-7, Rule for Military Commission 701, Military Commission Rule of Evidence 505, and Chapter 18 of the Regulation for Trial by Military Commission, to ensure that classified and protected information is not disclosed to any person not authorized to receive such information.

I further acknowledge and understand that, pursuant to Rule for Military Commission 505(d), the Chief Defense Counsel may excuse me as Defense Counsel at any time prior to formation of an attorney-client relationship with Mr. Bin al-Shibh. I also understand that after formation of an attorney-client relationship, that I may only be excused as Defense Counsel by the Chief Defense Counsel under Rule for Military Commissions 505 with the consent of Mr. Bin al-Shibh or for good cause as determined by the Chief Defense Counsel or when disqualified by the military judge, when applicable, under Rule for Military Commission 901. Given these very limited bases for excusal and the life cycle of Commissions cases, I understand that I may remain assigned to the Military Commissions Defense Organization until the conclusion of this case.

_____ 12 Mar. 2019
CPT JOHN H. BALOUZIYEH

cc:
MCDO Admin