

**MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA**

UNITED STATES OF AMERICA v. KHALID SHAIKH MOHAMMAD, WALID MUHAMMAD SALIH MUBARAK BIN ‘ATTASH, ALI ABDUL AZIZ ALI, MUSTAFA AHMED ADAM AL HAWSAWI	AE 006UUUU RULING Motion for Excusal of Detailed Military Defense Counsel for Mr. al Hawsawi 8 May 2026
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1. Procedural History.

a. On 4 May 2026, Counsel for Mr. Hawsawi moved¹ to permanently excuse detailed Military Defense Counsel, Major (Maj) Nichole Timmreck, United States Air Force (USAF),² from further representation of Mr. Hawsawi.

b. The Prosecution opposes the permanent excusal of Maj Timmreck prior to the detailing of a new detailed Military Defense Counsel but does not oppose Maj Timmreck being excused from participating in the hearings currently scheduled to take place from 22 – 26 June 2026.³

2. Law.

a. The Military Commissions Act of 2009 requires a Military Defense Counsel to be detailed to represent the Accused facing trial by Military Commission. 10 U.S.C. § 948k(a)(1). For cases referred capital, the Accused has a right, “to the greatest extent practicable,” to be represented by

¹ AE 006TTTT (MAH), Motion for Excusal of Detailed Military Defense Counsel for Mr. al Hawsawi, filed 4 May 2026.

² See *id.* at para. 2.

³ See *id.* at para. 8.

a counsel who is “learned in applicable law relating to capital cases....” 10 U.S.C. § 949a(b)(2)(C)(ii). Assistant and associate defense counsel “may” be detailed to represent the Accused. 10 U.S.C. § 948k(a)(2).

b. Rule for Military Commissions 505(d)(2)(B), in relevant part, requires that “after an attorney-client relationship has been formed between the accused and any counsel for the accused, only the military judge may excuse or change counsel upon a showing of good cause on the record.”

3. Findings.

a. Counsel for Mr. Hawsawi assert the following:

(1) On 23 October 2024, Maj Timmreck was appointed as Administrative Team Lead in *United States v. Mustafa Ahmed Adam al Hawsawi* by then-Chief Defense Counsel, Brigadier General Jackie Thompson, Jr.

(2) On 7 April 2025, Maj Timmreck was detailed as Defense Counsel.⁴

(3) On 18 July 2025, Maj Timmreck filed a notice of detailing and appearance.⁵

(4) On 15 December 2025, Maj Timmreck made her appearance on the record.⁶

(5) On 9 April 2026, Maj Timmreck received Discharge orders from the USAF.⁷

b. If Maj Timmreck were to be permanently excused, Mr. Hawsawi will continue to be represented by Mr. Walter Ruiz, Learned Counsel; Ms. Suzanne Lachelier, detailed defense

⁴ See AE 004DDDD (MAH), Notice of Detailing and Appearance of Counsel for Mr. al Hawsawi, filed 18 July 2025.

⁵ See *id.*

⁶ See Unofficial/Unauthenticated Transcript, *United States v. Khalid Shaikh Mohammad et al.*, 15 December 2025, at 52182.

⁷ See AE 006TTTT (MAH) at Attach. D.

counsel, and Mr. Sean Gleason, detailed defense counsel. The military counsel expected to be detailed to Mr. Hawsawi's defense team, is expected to arrive at Military Commissions Defense Organization between 1 and 31 July 2026.

c. Counsel for Mr. Hawsawi have represented that Mr. Hawsawi has "agreed to the release of Maj Timmreck as detailed counsel."⁸

4. Ruling and Order.

a. The motion is **GRANTED IN PART**.

b. Maj Timmreck is authorized to be absent from the Commission hearings scheduled to take place 22 - 26 June 2026.

c. The Commission **DEFERS** ruling on whether there is good cause to permanently excuse Maj Timmreck until after the filing of an entry of notice of detailing and appearance by the new Detailed Military Defense Counsel.

So **ORDERED** this 8th day of May, 2026.

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MICHAEL A. SCHRAMA, Lieutenant Colonel, USAF
Military Judge
Military Commissions Trial Judiciary

⁸ *Id.* at para. 5.f.