

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

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

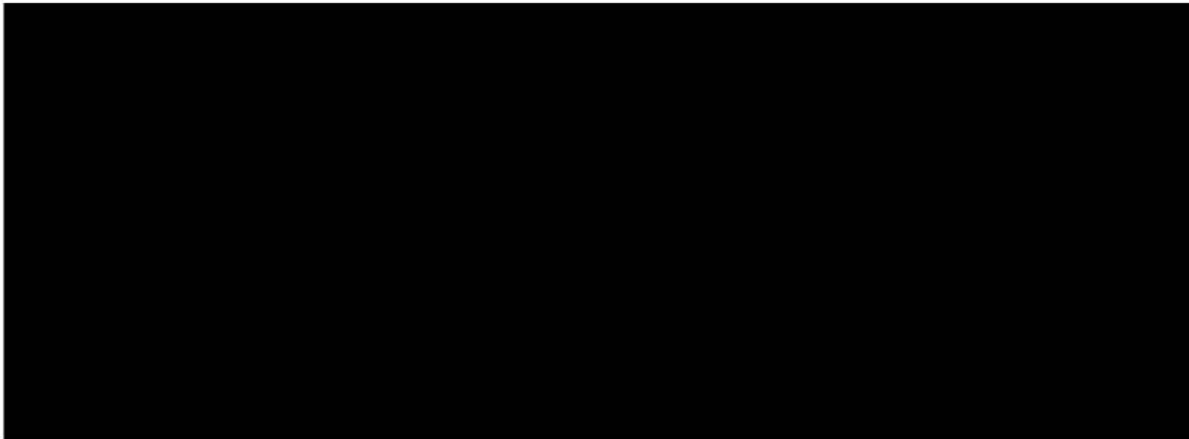
~~(U)~~ AE 524EEE (RBS)

~~(U)~~ Mr. Bin al Shibh's Reply to the
Government's Response to His Supplement to
AE 524TT (RBS) Mr. Bin al Shibh's Response
to AE 524NN (GOV)

~~(U)~~ Date Filed: 18 January 2019

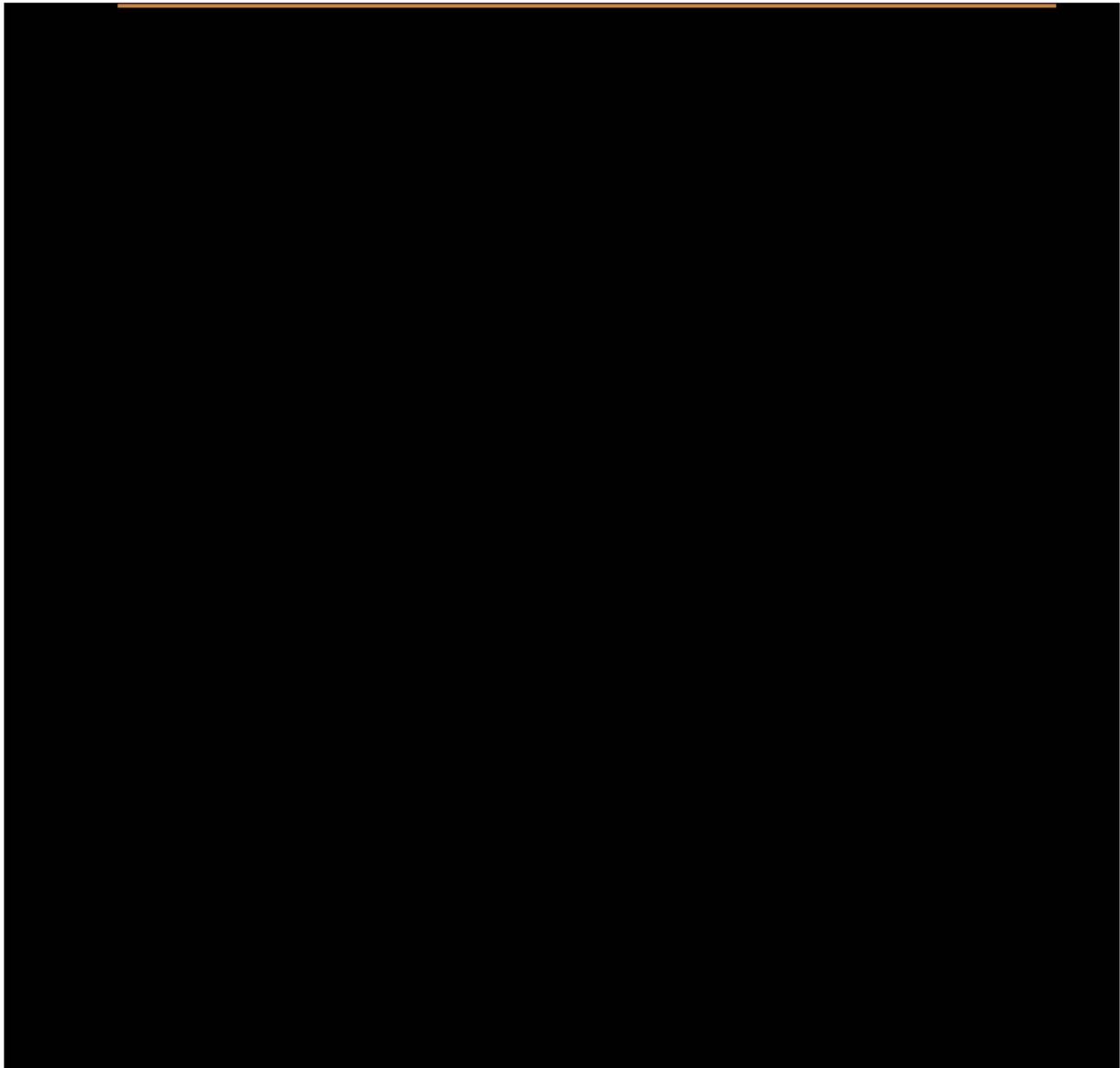
1. ~~(U)~~ **Timeliness:** This Reply is timely filed pursuant to Military Commissions Trial Judiciary
Rule of Court (R.C.) 3.7.e.

2. ~~(U)~~ **Additional Facts:**



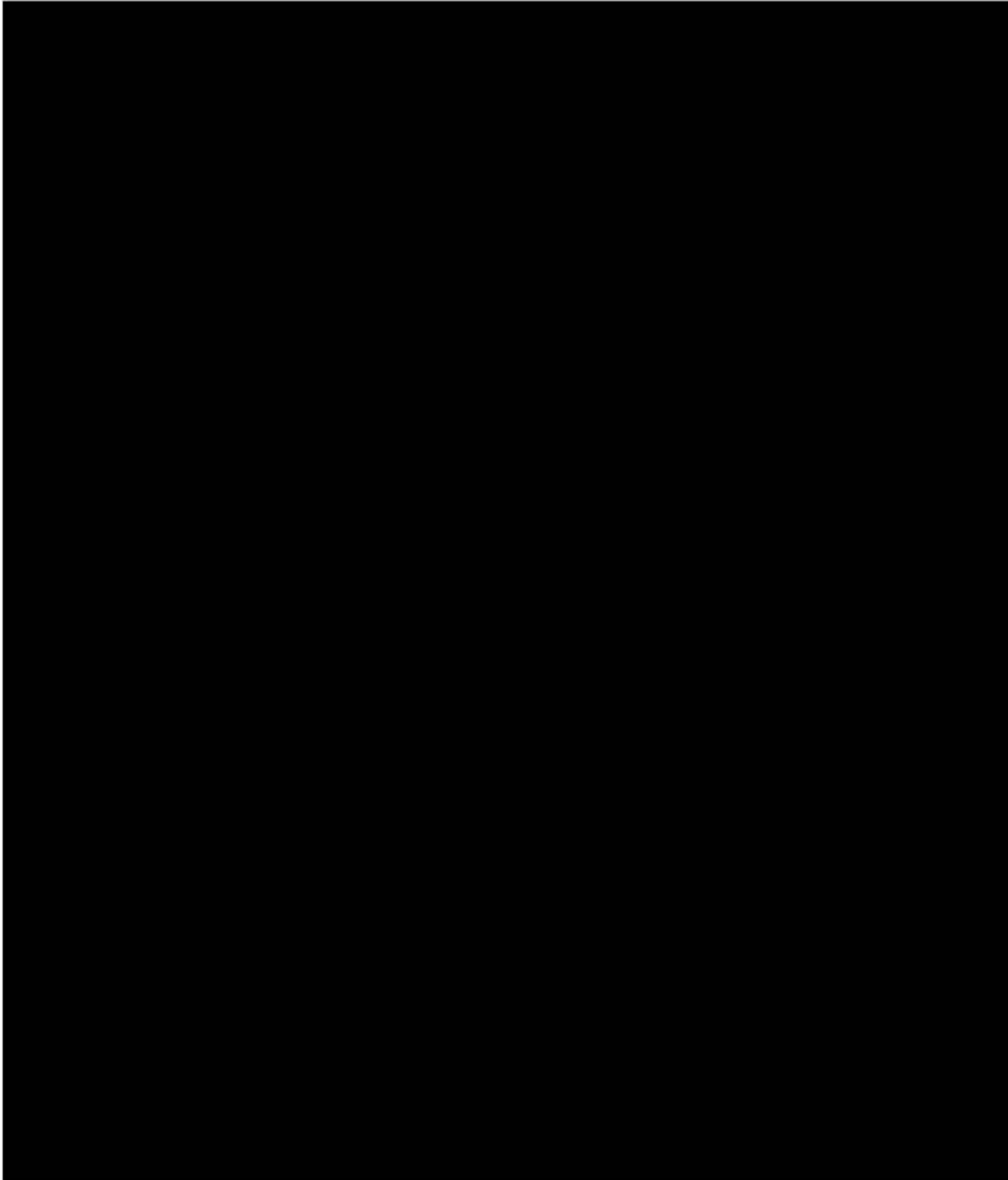
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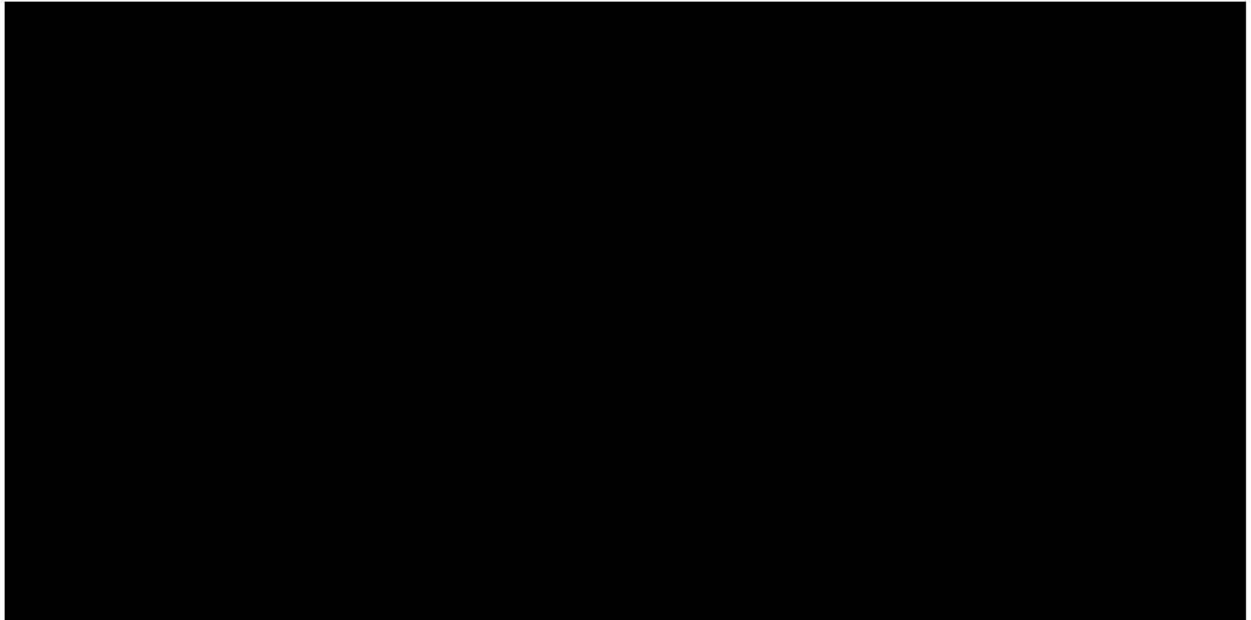
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~~(U)~~ Ultimately, the process provided by PO #4 is inadequate and does not place the Defense in the same position it would be to otherwise litigate a suppression motion. The failed implementation of PO #4, including intrusions by the CIA and misrepresentations by the Government, provides all the more reason for the Military Commission to decline to reconsider its ruling in AE 524LL (RUL). Subsequent events have borne out the Commission's finding that PO #4 simply does not allow for a sufficient investigation by the Defense into the RDI program.

4. ~~(U)~~ Attachments:

A. ~~(U)~~ Certificate of Service



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Respectfully submitted,

//s//
JAMES P. HARRINGTON
Learned Counsel

//s//
ALAINA M. WICHNER
Defense Counsel

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

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~~(U)~~ ATTACHMENT A

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~~(U)~~ CERTIFICATE OF SERVICE

~~(U)~~ I certify that on 18 January 2019, I electronically filed AE 524EEE (RBS) Reply to Government Response to Supplement to AE 524TT (RBS) Mr. Bin al Shihb's Response to AE 524NN (GOV) and served it on all counsel of record by e-mail.

//s//

JAMES P. HARRINGTON
Learned Counsel

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