

UNCLASSIFIED//FOR PUBLIC RELEASE

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

UNITED STATES OF AMERICA v. KHALID SHAIKH MOHAMMAD; WALID MUHAMMAD SALIH MUBARAK BIN ‘ATTASH; RAMZI BINALSHIBH; ALI ABDUL AZIZ ALI; MUSTAFA AHMED ADAM AL HAWSAWI	AE 526 (GOV) Government Notice Of Magnetic Resonance Imaging (“MRI”) Exam Availability to all Accused 13 October 2017
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1. Timeliness

This Notice is timely filed.

2. Notice

On 9 April 2015, the Military Commission in the case of *United State v. Abd Al Rahim Hussayn Muhammad Al Nashiri*, ordered the Office of the Convening Authority to make a Magnetic Resonance Image (MRI) scan available to the Accused in that case. The Office of the Convening Authority has since leased an MRI machine for temporary use at Naval Station Guantanamo Bay.

On 4 October 2017, Defense Counsel in *United States v. Mohammad, et al.*, were notified of their ability to request an MRI scan for their respective clients in this case through the JTF-GTMO Litigation Support Team. *See* Attachment B. The Prosecution hereby notifies the Commission that the MRI machine will be available from approximately mid-October 2017 through mid-February 2018, after which time the MRI scanner will be returned to the United States. Defense counsel were urged to make any requests they may have for MRI scans of their clients as soon as possible, as no other MRI machines are available at Naval Station Guantanamo Bay.

3. **Attachments**

- A. Certificate of Service, dated 13 October 2017
- B. MRI Correspondence to Defense Counsel in the case of *United States v. Mohammad, et al.*, dated 4 October 2017.

Respectfully submitted,

//s//
Clay Trivett
Managing Trial Counsel

Mark Martins
Chief Prosecutor
Military Commissions

ATTACHMENT A

CERTIFICATE OF SERVICE

I certify that on the 13th day of October 2017, I filed AE 526 (GOV), Government Notice Of Magnetic Resonance Imaging (“MRI”) Exam Availability to all Accused, with the Office of Military Commissions Trial Judiciary and I served a copy on counsel of record.

//s//

Clay Trivett
Managing Trial Counsel
Office of the Chief Prosecutor

ATTACHMENT B



OFFICE OF THE
CHIEF PROSECUTOR

DEPARTMENT OF DEFENSE
OFFICE OF THE CHIEF PROSECUTOR OF MILITARY COMMISSIONS
1610 DEFENSE PENTAGON
WASHINGTON, DC 20301-1610

4 October 2017

Notice to Defense Counsel in the Case of *United States v. Mohammad, et al.*

In response to the Military Judge's Order in *United States v. al Nashiri*, the Convening Authority leased a Magnetic Resonance Imaging ("MRI") machine, which recently arrived in Guantanamo Bay. The MRI machine is being leased for a period of four months. Should any of the Defense Counsel in *United States v. Mohammad, et al.*, decide that an MRI scan is in your client's best interests during that four month period of time, you may make a special request through JTF-GTMO Litigation Support, detailing what specific MRI scan(s) you are requesting.

Coordination beyond JTF-GTMO will be required for any additional approved testing, including an assessment on whether your requested testing is feasible. Follow-on coordination will also be required that may take days or weeks to finalize, so please plan accordingly, and make any requests you have for an MRI scan(s) as soon as possible. There are no other MRI machines on NAVSTA GTMO, and this MRI machine will only be on Naval Station Guantanamo for a period four months.

Please feel free to reach out to me if you have any questions or concerns. I may be reached at [REDACTED]

Regards,

Clay Trivett
Managing Trial Counsel
U.S. v. Mohammad, et al.