

MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA

UNITED STATES OF AMERICA	AE 985-1 (MFL)(AAA)
v.	Mr. al Baluchi's Motion
KHALID SHAIKH MOHAMMAD, WALID MUHAMMAD SALIH MUBARAK BIN' ATTASH, ALI ABDUL AZIZ ALI, MUSTAFA AHMED ADAM AL HAWSAWI	For an Enlargement of Time to File a Reply to AE 985B (GOV)
	12 November 2025

1. Timeliness: Pursuant to R.C. 3.5.6, this motion is not timely filed. The government filed AE 985B (GOV) ¹ on 10 November 2025. Based on the government's response, Mr. al Baluchi sought the government's position on this motion later that day. Because 11 November was Veterans' Day, today is the earliest opportunity for Mr. al Baluchi to submit this motion. He respectfully requests that the military commission accept the motion for good cause in light of the expedited briefing schedule and the federal holiday during the briefing period.

2. Relief Sought: Mr. al Baluchi respectfully requests an enlargement of time until 17 November 2025 to file a reply to AE 985B (GOV).

3. Facts:

a. On 28 October 2025, Mr. al Baluchi filed AE 985 (AAA), requesting that the military commission compel reinstatement of secure video teleconferences (SVTC) with his legal team during the U.S. government shutdown, and requesting an expedited briefing schedule.²

¹ AE 985B (GOV) Government Response to AE 985 (AAA) Mr. al Baluchi's Motion to Compel Reinstatement of Secure Video Teleconferences with his Legal Team During the U.S. Government Shutdown.

² AE 985 (AAA) Mr. al Baluchi's Motion to Compel Reinstatement of Secure Video Teleconferences with his Legal Team During the U.S. Government Shutdown at 1.

b. On 6 November 2025, the military commission issued AE 985A Expedited Briefing Order, ordering the government to respond to AE 985 (AAA) no later than 10 November 2025 and ordering Mr. al Baluchi to reply no later than 13 November 2025.³

c. On 10 November 2025, the government filed AE 985B (GOV), opposing Mr. al Baluchi's motion.

4. Argument:

In AE 985B (GOV), the government noted that the Office of Military Commissions (OMC) has authorized travel for defense teams to Naval Station Guantanamo Bay (NSGB) “on the next OMC chartered flight, currently scheduled for 15 November 2025—a flight that is considered an ‘excepted legal activity’ in direct support of *United States v. Al Nashiri*, which has a hearing scheduled for 17–21 November.”⁴ The government further indicated that OMC plans to designate SVTC legal meetings for counsel in this case as “excepted legal activities” starting on 26 November 2025.⁵

Members of Mr. al Baluchi's legal team have been authorized to travel to NSGB on the 15 November OMC flight, and plan to meet with Mr. al Baluchi starting on 16 November. Therefore, Mr. al Baluchi requests an enlargement of time until Monday, 17 November 2025, to file a reply to AE 985B (GOV). If Mr. al Baluchi is able meet with his legal team in person next week, he intends to waive a reply and recognizes that his motion may be deemed moot. However, if the 15 November OMC flight is cancelled, Mr. al Baluchi intends to reply to AE 985B (GOV) and seek prompt restoration of communication with his legal team.

5. Oral Argument: Mr. al Baluchi waives oral argument.

³ AE 985A Expedited Briefing Order at 1.

⁴ AE 985B (GOV) at 3-4.

⁵ *Id.* at 3.

6. Request for Witnesses and Evidence: None.

7. Certificate of Conference: The government's position is as follows: "The Prosecution defers to the Military Judge on whether to grant any extension of time for the Defense to respond to his expedited briefing order set forth in AE 985A."

8. Attachment:

A. Certificate of Service

Very respectfully,

//s/
JAMES G. CONNELL, III
Learned Counsel

//s/
DEFNE OZGEDIZ
Detailed Defense Counsel

//s/
ALKA PRADHAN
Defense Counsel

//s/
MATTHEW BURNS
LT, JAGC, USN
Detailed Defense Counsel

Counsel for Mr. al Baluchi

Attachment A

CERTIFICATE OF SERVICE

I certify that on the 12th day of November, 2025, I electronically filed the foregoing document with the Clerk of the Court and served the foregoing on all counsel of record by email.

//s//

JAMES G. CONNELL, III

Learned Counsel