

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

UNITED STATES OF AMERICA v. MOHAMMED FARIK BIN AMIN	AE 0066.001 (TJ) SCHEDULING ORDER / DOCKETING ORDER (OCTOBER 2023 SESSION) 18 September 2023
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1. A hearing in this case will take place on **23 – 25 October 2023**, in the Expeditionary Legal Complex (ELC), U.S. Naval Station, Guantanamo Bay, Cuba (NSGB).¹ The hearing will begin at **0900 hours** on **23 October 2023**.
2. A Rule for Military Commission (R.M.C.) 802 Conference will be held at **1500 on Sunday, 22 October 2023** in Courtroom 2, ELC, NSGB, to discuss the sequence of this hearing and any changes to this Docketing Order.
3. The Accused must be present for the beginning of the session on **23 October 2023**.
4. Following the Commission’s accounting for the parties, providing the Accused an advisement concerning his right to be present at hearings of the Commission and other administrative matters, the Commission will provide an opportunity for the parties to conduct *voir dire* of the Military Judge. In furtherance of this *voir dire* process, **no later than 11 October 2023**, any party that desires to *voir dire* the Military Judge must file its written *voir dire* questions in a notice to the Commission.²
5. Upon completion of *voir dire*, the Commission will call for the Accused to enter pleas consistent with the terms of the Offer for Pretrial Agreement (hereinafter “PTA”). The

¹ Any hearing scheduled for 16-20 October 2023 in connection with this Commission is hereby cancelled.

² See Rule for Military Commissions (R.M.C.) 902(d)(2).

Commission will conduct an inquiry into the providence of the Accused's plea. The Commission will also inquire into the terms and conditions of the PTA to ensure there is an agreement between the Convening Authority and the Accused and a shared understanding of the meaning and effect of the terms of the PTA. **Not later than 4 October 2023**, the Defense will file a written notice of intended plea.

6. Any request to amend this docketing order will be filed **as soon as possible but no later than 4 October 2023**.³ Any response to such a request will be filed as soon as possible but **no later than 7 calendar days** following the filing of any request to amend this docketing order. A reply brief is not authorized.

7. In anticipation of the 23 – 25 October 2023 hearing, the Commission requires the following concerning interpreter support:

a. The Government will provide the Commission notice of the status of Commission interpreter support **no later than 4 October 2023**. This status will include: 1) the number and names of the Malaysian interpreters that will support the Commission, 2) the qualifications of any new interpreter to include their CVs, 3) the location of each interpreter during the hearing if said location is intended to be other than NSGB, and 4) any anticipated issues with the Commission interpreter support for the scheduled hearing. Commission Interpreter's personal information, to include their names and their CVs, will be protected from disclosure and will be provided in attachments which will be filed under seal.

b. The Defense will provide the Commission notice of the status of their interpreter support **no later than 4 October 2023**. The status will include: 1) notice as to whether the

³ The Commission considered the Parties proposed litigation schedule, AE 0060.007 (GOV), Joint Proposed Litigation Schedule, filed 14 September 2023. The Commission determined the delay in entry of pleas until the week of 15 January 2024 was incompatible with successfully completing a sentencing proceeding as otherwise proposed.

Accused currently has the necessary interpreter support to conduct attorney-client communications, and 2) whether there are any anticipated interpreter support issues for the scheduled hearing.

8. The use of the Remote Hearing Room (RHR) in the National Capital Region for this hearing will be IAW AE 0041.001 (TJ).⁴

9. Unless granted permission to be absent from this hearing or to appear from the RHR, all detailed counsel are expected to be physically present at NSGB.⁵

So **ORDERED** this 18th day of September 2023.

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WESLEY A. BRAUN, Lt Col, USAF
Military Judge
Military Commission Trial Judiciary

⁴ AE 0041.001 (TJ), Trial Conduct Order – Remote Hearing Room Procedures, dated 7 October 2022.

⁵ *Id.*