

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

<b>UNITED STATES OF AMERICA</b>  <b>v.</b>  <b>MOHAMMED FARIK BIN AMIN; MOHAMMED NAZIR BIN LEP</b>	<b>AE 0066.013 (TJ)</b>  <b>RULING</b>  <b>Mr. Bin Lep’s Motion</b> to Permit the Absence of Detailed Defense Counsel Pursuant to R.M.C. 805(c)  <b>16 October 2023</b>
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**1. Procedural History.**

a. On 11 October 2023, Defense Counsel for Mr. Bin Lep filed a motion requesting this Commission approve the absence of Detailed Defense Counsel; Mr. Brian Bouffard, Mr. Aaron Shepard, and Maj Jason Cordova from the proceedings currently scheduled for 23–24 October 2023. The listed counsel will be engaged in mission-related work in Southeast Asia during the latter part of October 2023 and will be unable to appear on behalf of Mr. Bin Lep.<sup>1</sup>

b. Counsel for Mr. Bin Lep have stated that Mr. Bin Lep consents to the absence of Mr. Brian Bouffard, Mr. Aaron Shepard, and Maj Jason Cordova for the 23–24 October 2023 proceedings and is not seeking a continuance or delay on that basis.<sup>2</sup> The Defense represents that the Government does not oppose the requested relief. LCDR Matthew Anderson and LT Jennifer Joseph will be present and appear on behalf of Mr. Bin Lep for the 23–24 October 2023 proceedings and will provide effective representation.<sup>3</sup>

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<sup>1</sup> AE 0066.010 (LEP), Mr. Bin Lep’s Motion to Permit the Absence of Detailed Defense Counsel Pursuant to R.M.C. 805(c), filed 11 October 2023.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

**2. Ruling.**

a. Mr. Bin Lep consents to the absence of Mr. Brian Bouffard, Mr. Aaron Shepard, and Maj Jason Cordova and will be represented by other qualified counsel as required by Military Commissions Rule of Court 4.3(b)(1).

b. The motion to authorize the absence of Mr. Brian Bouffard, Mr. Aaron Shepard, and Maj Jason Cordova from the 23–24 October 2023 proceedings is **GRANTED**.

c. The granting of this motion shall not constitute justification for a delay in the proceedings.

So **ORDERED** this 16th day of October 2023.

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