

ICTR-1999-52-A

360H

5 MAY 2004

(360H-359H)



UNITED NATIONS
NATIONS UNIES



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

BEFORE THE PRE-APPEAL JUDGE

Before: Judge Weinberg de Roca, Pre-Appeal Judge
Registrar: Mr. Adama Dieng
Order of: 5 May 2004

JUDICIAL RECORDS
2004 MAY -6 A 9 30
[Signature]

Ferdinand NAHIMANA
Jean-Bosco BARAYAGWIZA
Hassan NGEZE
(Appellants)

V.

THE PROSECUTOR
(Respondent)

Case No. ICTR-99-52-A

[Signature]
ICTR Appeals Chamber
Date: 5 MAY 2004
Action: PG
Copied To: CONCERNED JUDGE

PARTIES
LOS, ALOS, LSS

ORDER CONCERNING NGEZE'S MOTION

Counsel for the Appellants

Mr. Jean-Marie Biju-Duval
Mr. Giacomo Barletta-Caldarera
Mr. John C. Floyd III

Counsel for the Prosecutor

Mr. James Stewart
Ms. Melanie Werrett

I, Inés Mónica Weinberg de Roca, Pre-Appeal Judge in this case,¹

HAVING RECEIVED a document entitled “Appellant Hassan Ngeze urgent letter to the Appeal Chamber requesting the rescheduling time of appeal brief, until I get a new counsel, under exception circumstances & good reason” filed 4 May 2004 (“Motion”) by Appellant Hassan Ngeze (“Appellant”) personally, in which he requests the admission of new evidence pursuant to Rule 115 of the Rules of Procedure and Evidence (“Rules”) and an extension of time for filing his Appellant’s Brief;

FINDING that the Motion does not conform to the Practice Direction on Formal Requirement for Appeals from Judgement dated 16 September 2002 (“Practice Direction”) and, in particular, fails to comply with the requirements of paragraph 7 of the Practice Direction relating to the filing of additional evidence on appeal and paragraphs 9 and 10 of the Practice Direction relating to general requirements for all filings;

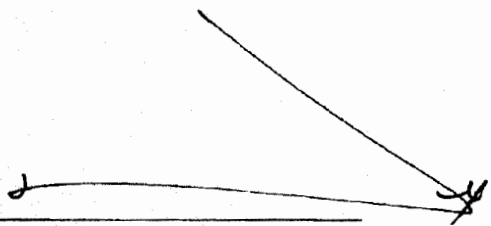
FINDING, moreover, that the wording of the Motion is unclear and ambiguous and that the relief requested in the Motion should properly be addressed by way of two separate motions, one requesting the admission of additional evidence and the other requesting an extension of time for filing his Appellant’s Brief;

HEREBY, pursuant to paragraph 19 of the Practice Direction,

REJECT the Motion as currently filed without prejudice to the Appellant’s right to re-file in accordance with the Rules and the Practice Direction.

Done in French and English, the English text being authoritative.

Dated this 5th day of May 2004,
At The Hague, The Netherlands.


Judge Inés Mónica Weinberg de Roca
Pre-Appeal Judge

[Seal of the International Tribunal]



¹ “Order of the Presiding Judge Assigning Judges and Designating the Pre-Appeal Judge” 19 December 2003.
Case No. ICTR-99-52-A