



UNITED NATIONS  
NATIONS UNIES

ICTR-00-55C-PT  
29-09-2010  
(3288 - 3287)

3288  
LWY

OR: ENG

**TRIAL CHAMBER III**

**Before Judges:** Lee Gacuiga Muthoga, *Presiding*  
Seon Ki Park  
Robert Fremr

**Registrar:** Adama Dieng

**Date:** 29 September 2010

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**THE PROSECUTOR**

v.

**Ildephouse NIZEYIMANA**

**CASE No. ICTR-2001-55C-PT**

**DECISION ON PROSECUTOR'S MOTION FOR EXTENSION OF TIME**  
*Rule 73 of the Rules of Procedure and Evidence*

**Office of the Prosecutor:**  
Drew White  
Kirsten Gray  
Yasmine Chubin  
Zahida Virani  
Astou Mbow

**Defence Counsel for Ildephouse Nizeyimana:**  
John Philpot  
Cainnech Lussiaa-Berdou  
Myriam Bouazdi

*[Handwritten signature]*

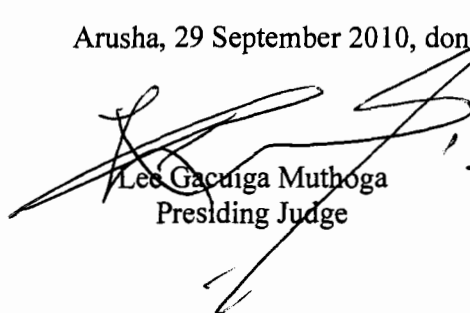
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1. On 31 August 2010, the Prosecution filed a motion requesting leave to file an amended indictment ("Amendment Motion").<sup>1</sup> On 22 September 2010, the Pre-Trial Chamber granted the Amendment Motion ("Decision")<sup>2</sup> while ordering the Prosecution to clarify the position held by Fulgence Niyibizi and to file the corrected Amended Indictment and Pre-Trial Brief by 28 September 2010.
2. The Prosecution contacted the Chamber on 28 September 2010 to seek clarification regarding the order relating to Fulgence Niyibizi. The Chamber communicated to the Prosecution that it wanted clarification with respect to François Ntibiramira's position and not Fulgence Niyibizi. Thereafter, the Prosecution filed this motion for an extension of time requesting a one-day delay to file the Amended Indictment ("Motion").<sup>3</sup>
3. The Chamber considers that a one-day extension will not prejudice Ildephonse Nizeyimana and given the change in the information it requires from the Prosecution in the Amended Indictment on the day the Amended Indictment was to be filed, it is in the interest of justice to grant the extension of time for one day.


**FOR THE ABOVE REASONS, THE CHAMBER**

**GRANTS** the Prosecution's Motion.

Arusha, 29 September 2010, done in English.

  
Lee Gacuga Muthoga  
Presiding Judge

  
Seon Ki Park  
Judge

  
Robert Fremr  
Judge

[Seal of the Tribunal]



<sup>1</sup> Prosecutor's Request to File an Amended Indictment, 31 August 2010.

<sup>2</sup> *Prosecutor v. Nizeyimana*, Case No. ICTR-2001-55C-PT, Decision on Prosecutor's Request to File an Amended Indictment (TC), 22 September 2010.

<sup>3</sup> Prosecution Motion for Extension of Time, filed 28 September 2010.