

UNITED  
NATIONS



International Tribunal for the  
Prosecution of Persons Responsible  
for Serious Violations of International  
Humanitarian Law Committed in the  
Territory of the Former Yugoslavia  
Since 1991

Case: IT-96-21-Abis

Date: 3 April 2002

Original: English

**IN THE APPEALS CHAMBER**

**Before: Judge David Hunt, Pre-Appeal Judge**

**Registrar: Mr Hans Holthuis**

**Decision of: 3 April 2002**

**PROSECUTOR**

v

**Zdravko MUCIĆ, Hazim DELIĆ and Esad LANDŽO**

**DECISION ON DELIĆ REQUEST FOR EXTENSION OF TIME**

**Counsel for the Prosecution:**

**Mr Norman Farrell**

**Counsel for the Defence:**

**Mr Tomislav Kuzmanović and Mr Howard Morrison QC for Zdravko Mucić  
Mr Salih Karabdić and Mr Tom Moran for Hazim Delić  
Ms Cynthia Sinatra and Mr Peter Murphy for Esad Landžo**

I, Judge David Hunt, Pre-Appeal Judge,

**NOTING** “Hazim Delić’s Application For Extension of Time” (“Motion”), filed by Hazim Delić (“Appellant”) on 27 March 2002 in which the Appellant requests the Appeals Chamber to recognise as validly filed “Hazim Delić’s Reply To The Prosecutor’s Appellate Brief Following Remand For Re-Sentencing” (“Reply”), filed on 27 March 2002;

**NOTING** that the Appellant claims that his lead counsel received in Bosnia the “Prosecution’s Consolidated Response Brief” (“Response Brief”), filed on 25 February 2002, “with great tardiness” and that his co-counsel did not receive the Response Brief in the United States until 20 March 2002;

**NOTING** the ‘Prosecution’s Response To “Hazim Delić’s Application For Extension of Time” Filed on 27 March 2002’ (“Response”), filed on 28 March 2002, in which the Prosecution states that it has been informed by the Registry that the Response Brief was sent by it as registered mail on 28 February 2002 and received by lead counsel for the Appellant in Sarajevo on 11 March 2002, and that it does not object to the grant of the extension sought by the Appellant because of this delay;

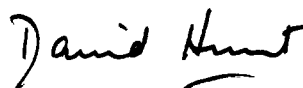
**NOTING** that the records of the Registry include a fax transmission report showing that the prosecution’s Response Brief of 81 pages was faxed directly to the Appellant’s lead counsel on 26 February 2002, and a registered mail receipt showing that the Appellant signed for the prosecution’s book of authorities of 425 pages on 11 March 2002;

**CONSIDERING** that Rule 127 allows the Appeals Chamber to recognise as validly done any act done after the expiration of a prescribed time on good cause being shown, and that, notwithstanding the misleading nature of the Appellant’s claim in relation to the prosecution’s Response Brief, the Appellant has shown good cause;

**HEREBY GRANT** the Motion, and **ORDER** that the Reply be recognised as having been validly filed on 27 March 2002.

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

Dated this 3<sup>rd</sup> day of April 2002,  
At The Hague,  
The Netherlands.



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Judge David Hunt  
Pre-Appeal Judge

**[Seal of the Tribunal]**