



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-98-30/1-A
Date: 13 March 2003
Original: English

IN THE APPEALS CHAMBER

Before: Judge David Hunt, Pre-Appeal Judge
Registrar: Mr Hans Holthuis
Order of: 13 March 2003

PROSECUTOR
v
Miroslav KVOČKA
Mlado RADIĆ
Zoran ŽIGIĆ
Dragoljub PRCAĆ

**ORDER ON ZORAN ŽIGIĆ'S MOTION TO STRIKE OUT PORTIONS OF
PROSECUTOR'S RESPONSE**

Counsel for the Prosecutor:
Mr Christopher Staker

Counsel for the Defence:
Mr Krstan Simić for Miroslav Kvočka
Mr Toma Fila for Mlado Radić
Mr Slobodan Stojanović for Zoran Žigić
Mr Jovan Simić for Dragoljub Prcać

I, Judge David Hunt, a Judge of the Appeals Chamber,

NOTING the “Order” of 17 February 2003, whereby the Appeals Chamber ordered Zoran Žigić (“Žigić”) to file a document stating how long he would need to file any Rule 115 application;

NOTING the “Report to the Appeals Chamber on the Status of the Accused Zoran Žigić”, filed by Žigić on 21 February (“Report”), in which he complains about the amount of material disclosed to him by the Prosecution and whereby he seeks leave for additional time to review that material and to file his Rule 115 application;

NOTING the “Prosecution Response to Recent Filings by the Appellant Zoran Žigić”, filed on 3 March 2003, in which the Prosecution responds, *inter alia*, to submissions made by Žigić in his Report;

BEING SEISED of a “Motion to Exclude Prosecution Response to Recent Filings by the Appellant Zoran Žigić of 3 March 1993 [sic] from the Record of the Case Number IT-98-30/1-A”, filed by Žigić on 12 March 2003 (“Motion”), in which he submits that the Prosecution was not a party “in the procedure between the Registry and [himself] regarding [his] finances” and that it should have refrained from making any submissions in relation to that matter;¹

NOTING that Žigić submits that any reference made by the Prosecution to this matter in its Response should therefore be struck out from the record;

CONSIDERING that the Prosecution’s Response as far as it relates to this matter was relevant to the issue of the timing of Žigić’s Rule 115 application, and that the submission by Žigić is misconceived;

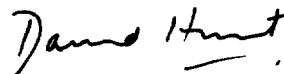
CONSIDERING that Žigić is now represented and that any further submission which he wishes to make to the Appeals Chamber upon any issue should be made on his behalf by his counsel, Mr Stojanović;

HEREBY REJECT the Motion.

¹ Motion, p 2.

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

Dated this 13th day of March 2003,
At The Hague,
The Netherlands.



David Hunt
Pre-Appeal Judge

[Seal of the Tribunal]