

NOTING the *Decision on the First Accused's Motion for Service and Arraignment on the Consolidated Indictment* ("Decision"), delivered by the Trial Chamber on the 29th of November, 2004;

NOTING the Consolidated Indictment against the Accused, Sam Hinga Norman, Moinina Fofana, and Allieu Kondewa, approved on the 5th of February, 2004;

THE TRIAL CHAMBER HEREBY ORDERS:

1. That the Decision does not operate as a stay of proceedings and that the Consolidated Indictment is valid and still in force against the Accused persons, Sam Hinga Norman, Moinina Fofana and Allieu Kondewa, with the exception of the stayed portions against Sam Hinga Norman, as set forth in the Decision.

2. Any Application that the Prosecution should seek to make in accordance with the Trial Chamber's Order, namely, "that the Prosecution is hereby put to its election either to expunge completely from the Consolidated Indictment such identified portions or seek an amendment of the said Indictment in respect of those identified portions, and that either option is to be exercised with leave of the Trial Chamber", should be filed with the Trial Chamber within seven days of the filing of the Trial Chamber's Decision.[\[1\]](#)

Done in Freetown, Sierra Leone, this 30th day of November, 2004

Hon. Judge Pierre Boutet Hon. Judge Benjamin Mutanga Itoe Hon. Judge Bankole Thompson
Presiding Judge,
Trial Chamber

[Seal of the Special Court for Sierra Leone]

[\[1\]](#) The Trial Chamber's Decision includes the Separate Concurring Opinion of Hon. Judge Bankole Thompson and the Dissenting Opinion of Hon. Judge Benjamin Mutanga Itoe.