

ICTR-96-3-A
6-9-2001
(1514 bis/A - 1512 bis/A)

1514 bis/A



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

UNITED NATIONS
NATIONS UNIES

Case No. ICTR-96-3-A
ENGLISH
Original: FRANÇAIS

APPEALS CHAMBER

Before Judge: Claude Jorda, Pre-Hearing Judge
Registry: Adama Dieng
Order of: 2 July 2001

JUDICIAL PROCEEDINGS
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GEORGES ANDERSON NDERUBUMWE RUTAGANDA

v.

THE PROSECUTOR

ORDER

**(EXTREMELY URGENT MOTION FOR EXTENSION OF THE TIME-LIMITS FOR
FILING THE DEFENCE BRIEF IN REPLY TO THE PROSECUTOR'S RESPONSE)**

Office of the Prosecutor:

Solomon Loh

Counsel for the Appellant

David Jacobs
David Paciocco

I, **Claude Jorda**, pre-hearing Judge in the instant case,

Considering the Judgment and Sentence delivered on 6 December 1999 by Trial Chamber I of the International Criminal Tribunal for Rwanda,

Considering the Notice of Appeal filed on 5 January 2000 by Georges Anderson Nderubumwe Rutaganda (“the Appellant”) and the Notice of Appeal filed on 6 January 2001 by the Prosecutor,

Considering the Defence Appeal Brief filed by the Appellant on 1 May 2001 (“the Appellant’s Brief”),

Considering the Order (“Prosecution’s Urgent Motion for Extension of Time-Limits”) of 30 May 2001 which granted a one month extension to the Prosecution for filing its Respondent’s Brief which is to be filed by 1 July 2001,

Considering Rule 113 of the Rules of Procedure and Evidence (“the Rules”) which provides that a Brief in Reply may be filed within 15 days after the filing of the Respondent’s Brief,

Considering the Extremely Urgent Motion for Extension of the Time-Limits for Filing the Defence Brief in Reply to the Prosecutor’s Response filed by the Appellant on 25 June 2001 (“Motion for Extension”) by which the Appellant prayed the Appeals Chamber to grant him a further extension of 45 days for the purpose of filing his Brief in Reply,

Considering Rule 116 of the Rules which provides that the Appeals Chamber may grant a motion to extend a time-limit upon a showing of good cause,

Whereas the purpose of the Brief in Reply is to allow the Appellant to respond to the submissions made by the Prosecution in its Respondent’s Brief,

Whereas the Motion for extension was filed before the Respondent’s Brief was filed by the Prosecutor,

Considering, therefore, that, in the instant, the Motion for extension is premature,

Considering, besides, that the Appellant titled his application “Extremely Urgent Motion”, which constitutes an abuse of process under Rules 107 and 73 (E) of the Rules,

Considering, however, that there are no grounds to order the non-payment, in part, of fees associated with the Motion for extension and/or related costs as provided for under Rule 73 (E) of the Rules,

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For the foregoing reasons

Hereby find that, there is no cause to rule on the Motion for extension, at this stage of the proceedings.

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

Claude Jorda
Pre-hearing Judge

Done at The Hague, The Netherlands
2 July 2001

[Seal of the Tribunal]