UNITED STATES OF AMERICA	)	
	)	**GOVERNMENT NOTICE OF MOTION**
v.	)	**(PRE-ADMISSION OF EVIDENCE)**
	)	
SALIM AHMED HAMDAN	)	23 July 2004

The Prosecution in the case of the *United States v Salim Ahmed Hamdan* provides the following notice of motion:

1. This Notice is filed in accordance with the Presiding Officer's Order of 19 July 2004.

2. Relief Requested: The prosecution will request pre-admission of certain testimonial, documentary, physical, and demonstrative evidence that it intends to utilize at trial.

3. Synopsis of Legal Theory: In addition to the overarching requirement for a full and fair trial, MCO No. 1, sections 4(A)(5)(c) and 6(B)(2), require that the Presiding Officer and the Commission ensure the expeditious conduct of the trial. The tremendous logistical challenges that confront any form of hearing at Guantanamo Bay, may overcome any attempt to conduct an organized trial hearing schedule if the traditional approach to proposed admission of evidence is followed in the commission hearing process. To that end, the prosecution will seek to pre-admit certain testimonial, documentary, physical, and demonstrative evidence that it intends to utilize at trial pursuant to section 6(D).

4. Witnesses and Evidence: Witness and evidence requirements will depend on the defense response to the motion and to proposals by the prosecution for stipulations of fact by the parties and conclusive notice of facts by the Commission pursuant to MCO No. 1, section 6(D)(4).

5. Oral Argument: The prosecution requests oral argument on this motion.

6. Request for Extension of Time: The prosecution respectfully requests an extension of the filing date with regard to this motion until a time closer to trial when discovery is nearer to completion, the parties have had an opportunity to address evidentiary issues, and the issue of pre-admission is more ripe. A grant of an extension would likely prevent multiple, piece-meal pre-admission motions.

NAME REDACTED
Commander, U.S. Navy
Prosecutor

Revised: The names of prosecutors were redacted at the request of the Office of Military Commissions.