UNITED STATES OF AMERICA	)	**RULING**
	)	
	)	
v.	)	**Ex Parte Request from the Chief Defense Counsel**
	)	
	)	
OMAR AHMED KHADR a/k/a "Akhbar Farhad" a/k/a "Akhbar Farnad" a/k/a "Ahmed Muhammed Khali"	))))	**D-107**

1. On 3 April 2009 detailed defense counsel filed D-107, Defense Emergency Motion for Appropriate Relief, requesting the Commission take action in regard to his anticipated removal as counsel for the accused in this case.

2. Later on 3 April 2009, the Chief Defense Counsel (CDC) filed documents with the Commission concerning his removal of the detailed defense counsel from this case. The CDC requested that the documents he filed with the Commission be considered *ex parte* by the Commission and sealed.

3. The Commission has reviewed the documents filed by the CDC *in camera*. Those documents will be sealed. The Commission orders no further action on the issues raised in the sealed documents at this time.

4. The CDC cited R.M.C. 505(d)(2)(B)(ii) as the authority for removing the detailed counsel from this case. Only the military judge may authorize the removal of a detailed counsel pursuant to R.M.C. 505(d)(2)(B)(ii). The military judge has not authorized any detailed counsel to be removed or otherwise excused in this case.

5. Prior to resuming the pending motions' hearing in this case, the Commission will conduct a hearing to determine if there are appropriate grounds to remove the detailed counsel from this case pursuant to R.M.C. 505(d)(2)(B)(ii).

So Ordered this 7th day of April 2009.

Patrick J. Parrish
COL, JA
Military Judge