

6

REPORT OF MILITARY COMMISSIONS ACTIVITY		Report Control Number
Report prepared pursuant to Pub. L. No. 111-84, §1806 (Oct 28, 2009)		
Year ending 2012	Report date (YYYYMMDD) 20121231	
To: Senate Committee on Armed Services 228 Russell Senate Office Building Washington, DC 20510	House Committee on Armed Services 2120 Rayburn House Office Building Washington, DC 20515	From: Office of Military Commissions 4800 Mark Center Drive, Suite 11F09-02 Alexandria, VA 22350-2100

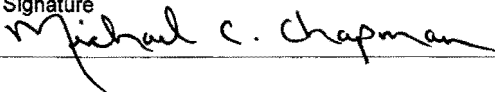
SECTION A - CASES PROCESSED	
1. Number of Detainees Against Whom Charges Were Sworn	7
2. Number of Cases Referred to Trial	2

SECTION B - CASES COMPLETED			
	Number Tried	Number Convicted	Number of Pretrial Agreements (PTA)
3. Contested Trials	0	0	
4. Guilty Plea, Sentenced by Members	0	0	0
5. TOTAL	0	0	0

SECTION C - APPEALS					
	Total	Affirmed	Reversed	Other	Pending
6. US Court of Military Commission Review	0	0			
7. US Court of Appeals for the DC Circuit	2		1		1
8. US Supreme Court	0				

SECTION D - INDIVIDUAL CASES COMPLETED						
(Continue on reverse if necessary)						
Nationality	Number of Charges / Specifications:				Sentence Imposed by Commission	Convening Authority Action
	Sworn	Referred	Acquitted	Convicted		
	/	/	/	/		
	/	/	/	/		
	/	/	/	/		
	/	/	/	/		
	/	/	/	/		
	/	/	/	/		

Remarks (Continue on reverse if necessary)
COMMENTS ON REPORT ENTRIES
 1. Charges were sworn against Majid Khan (Pakistani) and Ahmed Mohammed al Darbi (Saudi Arabian). Additional Charges were sworn against the 9/11 accused: Khalid Sheik Mohammad; Walid Bin 'Attash; Ramzi Binalshibh; Ali Aziz Ali; and Mustafa al Hawsawi.
 2. Charges were referred to trial in two cases: US v. Mohammad, et al; and US v. Khan.
 3. There were no contested trials completed this year; motions hearings are continuing in US v. al Nashiri and US v. Mohammad, et al.
 4. There were no cases completed this year. However, Majid Khan pleaded guilty and the military judge accepted his pleas; sentencing was delayed pending the accused's performance of the requirements of the pretrial agreement.
 5.
 6. There were no cases pending before the US Court of Military Commission Review (USCMCR) this year.
 7. The US Court of Appeals for the DC Circuit reversed the decision of the USCMCR in US v. Hamdan. The appeal in US v. al Bahlul is pending.
 8. There were no military commission cases pending before the US Supreme Court this year.
 Section D - There were no individual cases completed this year.

Michael C. Chapman, Legal Advisor to the Convening Authority	Signature 
Footnotes:	

