

---

UNITED STATES OF AMERICA

v.

DAVID M. HICKS

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**Withdrawal of Defense  
Motion D 2**

31 October 2004

---

In light of the Presiding Officer's Memorandum dated October 30, 2004, with respect to the corrective instruction to the Commission Members regarding instructions on the law (that the Presiding Officer will not be issuing any to the Commission Members), David M. Hicks hereby withdraws defense motion D2 as moot.

By: \_\_\_\_\_

M.D. MORI  
Major, U.S. Marine Corps  
Detailed Defense Counsel