

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior Judge Richard P. Matsch**

Civil Action No. 12-cv-2585-RPM

RAMZI YOUSEF,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

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**ORDER TO SUPPLEMENT ANSWER**

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Upon review of the Respondent's Answer to Application for Writ of Habeas Corpus [Doc. 36] and the attached exhibits, together with the oral argument heard on January 29, 2014, this Court finds that it does not have sufficient information concerning the conditions of Petitioner Ramzi Yousef's confinement to determine whether his Special Administrative Measures ("SAMs") impose an "atypical and significant hardship in relation to the ordinary incidents of prison life," as required to find that he has a protectable liberty interest. Wilkinson v. Austin, 545 U.S. 209, 223 (2005). Accordingly, Respondent is directed to supplement its Answer by addressing the following questions with supporting evidence:

1. What is the composition of Yousef's cell door, and what is the view it provides to the H Unit range?
2. Does the 42 inch x 7 inch window located in Yousef's cell give him a view to the outside? If so, what can he see?

3. Describe Yousef's orderly job and how he performs it, including the time he spends out of his cell, where he works, and how he is supervised.
4. How does Yousef access the H Unit library?
5. Is Yousef's daily schedule different from the schedule of other H Unit inmates?
6. The SAMs allow Yousef to communicate with other inmates during "'pre-designated times,' including during recreation." [Doc. 40 ¶ 24 (Kuta Decl.).] Provide details as to how times are designated and how communication occurs.
7. Are inmates allowed to communicate with each other during indoor recreation? If so, how do they communicate?
8. What is Yousef's recreation schedule? How many days per week does he exercise outdoors?
9. How long has Yousef been in Phase Two of the Special Security Unit Program?
10. The Kuta Declaration states: "Based on the correctional judgment of ADX personnel, the decision at this time is that Yousef requires more time in Phase Two to assess whether he can safely function in an environment that allows him to be in physical proximity with other inmates." [Id. ¶ 70.] Who made the decision?
11. Provide a copy of Yousef's most-recent Program Review Report and Progress Report.  
  
The Court currently has on file a Program Review Report from June 23, 2013 and a Progress Report from May 23, 2011.
12. Identify any SAMs violations by Yousef since March 2009.

Upon the foregoing, it is

ORDERED that Respondent United States supplement its Answer on or before April 15, 2014.

Dated: March 17, 2014.

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch  
Senior District Judge