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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ABU BAKKER QASSIM and A'DEL ABDU
AL-HAKIM,

Petitioners/Plaintiffs,

v.

George W. Bush, *et al.*,

Respondents/Defendants.

Civil Action No. 05 cv 0497 (JR)

**PETITIONERS' EMERGENCY MOTION TO VACATE STAY ORDER
AND ISSUE WRIT DIRECTING IMMEDIATE RELEASE OF PETITIONERS
[ORAL HEARING REQUESTED]**

Petitioners Abu Bakker Qassim and A'del Abdu Al-Hakim file this motion to vacate stay order and immediately grant the writ of habeas corpus. Counsel have just learned that **Petitioners were exonerated by the government's own "CSRT" Procedure and yet continue to be held in a high-security jail at the government's prison in Guantanamo Bay, Cuba.** As grounds for this motion, Petitioners say:

1. Petitioners continue to be held in at the detention facility at the United States Naval Base at Guantanamo Bay, Cuba.
2. A Combatant Status Review Tribunal ("CSRT") conducted by the government for each Petitioner concluded that the Petitioner was not an enemy combatant. *See generally*, Declaration of Sabin Willett, submitted herewith.
3. On information and belief, the CSRT finding was made more than two months ago, and yet the Petitioners continue to be held in a high-security prison. *Id.*
4. Pursuant to Local Civil Rule 7(f), Petitioners request a hearing on this motion.
5. As more fully set forth in the Willett Declaration and the memorandum of law, Petitioners request that:
 - A. The Court immediately vacate its order staying these proceedings;

B. The Court immediately issue writs of habeas corpus directing the government to release Petitioners from prison;

C. The Court reaffirm, pending further hearing and order, that portion of its April 13, 2005 order prohibiting the government from transferring or rending Petitioners to another country, as transfer or rendition to certain countries would likely subject Petitioners to torture or death;

D. The Court convene a hearing as soon as possible to address any practical issues arising from the release of Petitioners; and

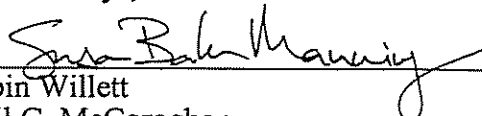
E. The Court grant Petitioners such other and further relief as may be just and proper.

Dated: July 20, 2005

Respectfully Submitted,

Abu Bakker Qassim and A'del Abdu Al-Hakim,

By their attorneys,


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