

ORIGINAL

FILED

JUL 15 2008

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Clerk, U.S. District and Bankruptcy Courts

ABD AL-RAHIM HUSSAIN
MOHAMMED AL-NASHIRI
Guantanamo Bay Naval Station,
Guantanamo Bay, Cuba,
Petitioner

V.

GEORGE W. BUSH
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500;

RICHARD B. CHENEY
Vice President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500;

CONDELEEZA RICE
Secretary of State of the United States
U.S. Department of State
2201 C Street NW
Washington, DC 20520;

MICHAEL V. HAYDEN
Director, Central Intelligence Agency
Central Intelligence Agency
Office of Public Affairs
Washington, D.C. 20505

GEORGE TENET
[Service address to be provided]

ROBERT M. GATES
Secretary of Defense of the United States
1000 Defense Pentagon
Washington, D.C. 20301-1000

CIVIL ACTION
(HABEAS CORPUS)

No:08-CV-
MISC. NO. 08-442 (TFH)

JUDGE

Case: 1:08-cv-01207
Assigned To : Roberts, Richard W.
Assign. Date : 7/15/2008
Description: Habeas Corpus/2255

Let this be filed.
Roger C. Lumbert
C.U.S.D.J. 7/15/08

DONALD RUMSFELD)
 [Service address to be provided])
)
NAVY REAR ADMIRAL DAVID M. THOMAS)
 Commander, Joint Task Force - GTMO)
 JTF-GTMO)
 APO AE 09360;)
)
ARMY COL. BRUCE VARGO,)
 Commander, Joint Detention)
 Operations Group - JTF-GTMO)
 APO AE 09360; and)
)
JOHN DOE, et al., persons acting under actual or)
 apparent authority, or color of law, of foreign)
 nations,)
)
 Respondents.)
)
 _____)

NOTICE OF FILING A PETITION FOR WRIT OF HABEAS CORPUS

Petitioner, ‘Abd Al-Rahim Hussain Mohammed Al-Nashiri, by and through undersigned counsel, submits this Notice of Filing a Petition for Writ of Habeas Corpus. The Petition alleged fundamental violations of Petitioner’s constitutional, international, and human rights.

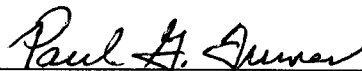
Pursuant to the stipulated Interim Guantanamo SCI Protective Order that currently governs the sole means that undersigned counsel has access to Petitioner, all pleadings or other documents filed by a petitioner must be filed under seal with the United States Court of Appeals for the District of Columbia or Circuit through the Litigation Security Section of the Department of Justice (the “Court Security Office” or “CSO) unless a petitioner has obtained from the Court Security Officer permission to file the pleading or document not under seal. Under that procedure the date and time of physical submission to the Court Security Officer shall be considered the date and time of filing

document with designated portions under seal. Alternatively, the document may be returned to counsel for filing with the Court.

On July 5, 2008, Petitioner transmitted a Petition for Writ of Habeas Corpus to the Court Security Office for filing with this Court as of the date and time of its physical submission to the Court Security Office. Once the Court Security Office has performed appropriate classification review and has filed the Petition with this Court under seal, or pursued the alternative procedure noted above the Petition will be before this Court for review.

Dated: July 7, 2008

Respectfully Submitted,



*Paul G. Turner
Nevada Bar No. 07941
Assistant Federal Public Defender
*Gerald Bierbaum
Texas Bar No. 24025252
Assistant Federal Public Defender
*Mukund H. Sharma
California Bar No. 249125
Assistant Federal Public Defender
411 East Bonneville Avenue, Ste. 250
Las Vegas, NV 89101
(702) 388-6577

*Attorneys for Petitioner

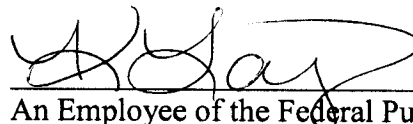
CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2008, I served the foregoing **NOTICE OF FILING A PETITION FOR WRIT OF HABEAS CORPUS**, by causing an original and four copies to be delivered to the United States District Court for the District of District of Columbia via overnight mail (Federal Express) for filing with the Court and service on the persons listed on the attached service list:

Terry Henry
Senior Trial Attorney
Federal Programs Branch
Civil Division - Room 7144
Department of Justice
20 Massachusetts Avenue, N.W.
Washington, D.C. 20530
(Via email and ECF)

Andrew Warden
Trial Attorney
Civil Division
Federal Programs Branch
Department of Justice
20 Massachusetts Avenue, N.W.
Washington, D.C. 20530
(Via email)

Robert M. Loeb, Esq.
U.S. Department of Justice
Civil Division, Room 7268
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001



An Employee of the Federal Public Defender