

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHAWKI AWAD BALZUHAIR,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 08-1238 (RWR)
)	
ROBERT GATES et al.,)	
)	
Respondents.)	
)	

ORDER

A petition for habeas corpus relief was filed on behalf of Guantánamo Bay detainee Shawki Awad Balzuhair purportedly by a "next friend." On July 29, 2008 Judge Hogan issued an Order in this case requiring petitioner's counsel to file a signed authorization from the petitioner to pursue the action, or a declaration by counsel that states that the petitioner directly authorized counsel to pursue the action and explains why counsel was unable to secure a signed authorization. Petitioner's counsel have not complied with that Order and have provided no evidence of direct authorization of representation despite traveling to Guantánamo Bay two times.

However, the petitioner has purportedly expressed interest in obtaining representation from an attorney named Ramzi Kassem, and the petitioner's counsel have moved for an order allowing the petitioner to meet with Kassem without Kassem first entering an

appearance as attorney of record in this case. Petitioner's counsel represent that Kassem is willing to sign and file in this case a memorandum of understanding regarding access to classified national security information and acknowledgments. The respondents oppose, arguing that allowing Kassem to meet with the petitioner without first entering an appearance as attorney of record would create "uncertainty regarding this Court's authority to control Mr. Kassem's conduct." (Respt.'s Opp'n at 1.) However, the respondents do not explain why there would be any ambiguity regarding control over Kassem if he signed and filed a modified version of that memorandum specifically acknowledging this Court's control over him. Therefore it is hereby

ORDERED that the petitioner's motion [#132] be, and hereby is, GRANTED. Petitioner's counsel are directed to file by April 8, 2011 an appropriately modified version of the standard memorandum of understanding regarding access to classified national security information and acknowledgments bearing the notarized signature of Kassem specifically submitting to the authority of this Court and listing all jurisdictions in which Kassem is admitted to the practice of law. It is further

ORDERED that the parties file a joint status report by April 18, 2011 setting forth the proposed date of the meeting between petitioner and Kassem and proposing the date for a

subsequent joint status report detailing the result of the meeting. It is further

ORDERED that petitioner's motion [#140] for a hearing on his pending motion for an order allowing prospective alternative counsel to meet with petitioner be, and hereby is, DENIED as moot.

SIGNED this 29th day of March, 2011.

/s/
RICHARD W. ROBERTS
United States District Judge