

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**IN RE GUANTANAMO BAY DETAINEE
LITIGATION**

Misc. No. 08-442 (TFH)

This document relates to:

Civil Action No. 05-1638 (CKK)

MOHAMMED RAJEB ABU GHANEM,

and

HIMIGER SADER ABU GHANEM

As Next Friend of

Mohammed Rajeb Abu Ghanem;

Petitioners/Plaintiffs,

v.

GEORGE W. BUSH, et al.,

Respondents/Defendants.

PETITIONER GHANEM'S STATUS REPORT

This status report describes the current position of Petitioner Ghanem's habeas corpus petition, filed on August 15, 2005.

Factual Return. Respondent has not produced a factual return in this case.

Protective Order. The following protective order and amendments were entered in this case on October 19, 2005: (1) the Amended Protective Order and Procedures for Counsel Access to Detainees at the United States Naval Base in Guantanamo Bay, Cuba, first issued on November 8, 2004, in *In re Guantanamo Bay Detainee Cases*, 344 F. Supp. 2d 174 (D.D.C. 2004); (2) the Order Addressing Designation Procedures for

“Protected Information,” first issued on November 10, 2004; and (3) the Order Supplementing and Amending Filing Procedures Contained in November 8, 2004 Amended Protective Order, first issued on December 13, 2004.

Notice of Transfer. On July 10, 2007, the court entered an order requiring the government to provide the Court with thirty days advance notice of transfer from Guantanamo. The government appealed this order in September 2007 (dkt. no. 60). On October 11, 2007, the Court of Appeals ordered that the appeal case be held in abeyance. *See Ghanem v. Bush*, No. 07-5303 (D.C. Cir., filed Sept. 19, 2007). Both parties have requested that the appeal be stayed pending resolution of a similar case (dkt. nos. 4, 6).

Pending Motions. This case has one pending motion. Respondent’s motion to dismiss (dkt. no. 41) argued that this Court lacked jurisdiction to hear this habeas petition. That motion, briefed before the Supreme Court’s decision in *Boumediene v. Bush*, 128 S. Ct. 2229 (2008), is now moot.

Status of Stay. The court stayed this case on October 19, 2005 (dkt. no. 7) and extended the stay on July 10, 2007 (dkt. no. 53), pending resolution of Respondent’s jurisdictional challenge in *Boumediene*. The stay should be removed immediately, allowing Petitioner to pursue his case in an expeditious manner.

Dated: July 18, 2008

Respectfully submitted,

Counsel for Petitioner:

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CERTIFICATE OF SERVICE

I hereby certify that, on this 18th of July, 2008, I caused a true and correct copy of the **PETITIONER GHANEM'S STATUS REPORT** to be served on the following individuals through the ECF system:

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