

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

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

Misc. No. 08-442 (TFH)

Civil Action No. 05-00247 (HHK)

**PETITIONERS' UNOPPOSED MOTION FOR EXTENSION OF TIME
FOR FILING SIGNED AUTHORIZATION**

Petitioner, Mahmood Salim Al-Mohammed, through counsel, hereby moves for an order extending for a period of thirty days, to December 28, 2008, the deadline by which counsel must file a signed authorization from Petitioner to pursue this action.

The petition for writ of habeas corpus ("Petition") was filed on February 2, 2005. The Petition is supported by Petitioner's brother and next friend, Abdulla Salim Al-Mohammed, whose written authorization was attached thereto. When counsel first visited with Mr. Al-Mohammed in July 2005, Petitioner appeared to be mentally incompetent. Counsel developed grave concerns about whether Petitioner would be able to understand the nature and consequences of the habeas proceedings and whether he would be able to assist counsel in litigating the Petition. Counsel has developed further doubts about whether Petitioner is competent to knowingly and intelligently make significant legal decisions.

On July 29, 2008, the Court ordered that in all cases in which a detainee is represented by a next friend, counsel is to file a "signed authorization from the Petitioner to pursue the action or a declaration from counsel that states that the Petitioner directly authorized counsel to pursue the

action...” In light of the Court’s order counsel attempted to visit with Petitioner on September 9, 2008. Unfortunately, counsel had to cancel the trip because of Hurricane Ike.

Due to the cancellation of the trip, Petitioner moved the Court on September 24, 2008 to extend the deadline for filing the required authorization for sixty days. In a minute order entered that same day, the Court granted the motion and extended the deadline for filing an authorization or declaration to November 28, 2008.

Since moving for the sixty-day extension on September 24, Petitioner’s counsel’s first opportunity to reschedule the trip to Guantanamo Bay to visit with Petitioner is on December 4, 2008. In the event Petitioner is unable to provide an authorization after the December 4 visit, Petitioner will be filing a motion for relief from the authorization requirement.

Andrew Warden, counsel for respondent, indicated that the respondent does not object to the requested 30-day extension.

Respectfully submitted,

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Dated: November 26, 2008