

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

**IN RE:** ) **Misc. No. 08-442 (TFH)**  
 )  
**GUANTÁNAMO BAY DETAINEE** ) **Civil Action No. 05-2386 (RBW)**  
**LITIGATION** )  
 )

**STATUS REPORT ON BEHALF OF PETITIONERS  
WALID IBRAHIM MUSTAFA ABU HIJAZI,  
UMAR HAMZAYAVICH ABDULAYEV,  
AND MAASOUM ABDAH MOUHAMMAD**

Pursuant to the Court's July 11 Scheduling Order, counsel for petitioners Walid Ibrahim Mustafa Abu Hijazi, Umar Hamzayavich Abdulayev, and Maasoum Abdah Mouhammad, all petitioners in Civil Action No. 05-2386 (RBW), hereby submit on behalf of their clients this report summarizing the status of their clients' respective cases:

**Walid Ibrahim Mustafa Abu Hijazi (ISN 49)**

1. Mr. Abu Hijazi, a/k/a Mohammed Al Palestini, is a Palestinian man. He has been detained without charge in Guantánamo Bay Naval Station since January 2002. In February 2008, counsel for Mr. Abu Hijazi were notified by the Department of Defense that it had approved Mr. Abu Hijazi to leave Guantánamo. Mr. Abu Hijazi, nonetheless, remains imprisoned in Guantánamo.

2. No factual return has been produced for Mr. Abu Hijazi, though on February 1, 2007 his counsel filed a motion for production of a factual return. That motion was filed a day after the district court administratively closed the case, and the Government did not file a memorandum in opposition.

3. Mr. Abu Hijazi has not been charged under the Military Commissions Act of 2006.

4. Having been approved to leave Guantánamo, Mr. Abu Hijazi seeks to return to his home and family in Palestine.

5. Pursuant to this Court's Order entered on July 10, 2008 concerning 30 days' notice before transfer of a petitioner (Misc. No. 08-442, Docket No. 52), counsel for Mr. Abu Hijazi requested on July 11, 2008 that the Government file notice with the Court 30 days in advance of transferring him from Guantánamo, and provided the Court notice of that request on July 15, 2008 (Misc. No. 08-442, Docket No. 63).

**Umar Hamzayavich Abdulayev (ISN 257)**

6. Mr. Abdulayev, a/k/a Abdullah Bo Omer Hamza Yoyej, is from Tajikistan and has been detained without charge in Guantánamo Bay Naval Station since February 2002. Mr. Abdulayev remains imprisoned in Guantánamo.

7. No factual return has been produced for Mr. Abdulayev.

8. Mr. Abdulayev has not been charged under the Military Commissions Act of 2006.

9. On March 19, 2008, the district court granted Mr. Abdulayev's motion for a preliminary injunction in part, and ordered the Government to provide counsel for Mr. Abdulayev 30 days' notice of any intended removal of Mr. Abdulayev from Guantánamo to any other country and to specify in its notice to counsel the country to which Mr. Abdulayev would be transferred. The Government has appealed this ruling. In the same order, the district court held in abeyance Mr. Abdulayev's motion for a preliminary injunction preventing the Government from repatriating him to Tajikistan until such time as the Government provides the required 30 days' notice.

**Maasoum Abdah Mouhammad (ISN 330)**

10. Mr. Mouhammad, a/k/a Bilal LNU, is a Kurdish man from Syria and has been detained without charge in Guantánamo Bay Naval Station since early 2002. Mr. Mouhammad remains imprisoned in Guantánamo.

11. No factual return has been produced for Mr. Mouhammad, though on February 1, 2007 his counsel filed a motion for production of a factual return. That motion was filed a day after the district court administratively closed the case, and the Government did not file a memorandum in opposition.

12. Mr. Mouhammad has not been charged under the Military Commissions Act of 2006.

13. Pursuant to this Court's Order entered on July 10, 2008 concerning 30 days' notice before transfer of a petitioner (Misc. No. 08-442, Docket No. 52), counsel for Mr. Mouhammad requested on July 11, 2008 that the Government file notice with the Court 30 days in advance of transferring him from Guantánamo, and provided the Court notice of that request on July 15, 2008 (Misc. No. 08-442, Docket No. 63).

Dated: July 18, 2008

Respectfully submitted,

**WALID IBRAHIM MUSTAFA ABU HIJAZI,  
UMAR HAMZAYAVICH ABDULAYEV, and  
MAASOUM ABDAH MOUHAMMAD,**  
*Petitioners*

*/s/ Brian C. Lewis* \_\_\_\_\_

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*(Each Pursuant to LCvR 83.2(g))*

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**CERTIFICATE OF SERVICE**

The undersigned states that on July 18, 2008, I electronically filed the foregoing **STATUS REPORT ON BEHALF OF PETITIONERS, WALID IBRAHIM MUSTAFA ABU HIJAZI, UMAR HAMZAYAVICH ABDULAYEV, AND MAASOUM ABDAH MOUHAMMAD** with the Clerk of the Court using the ECF system, which will send notification of such filings to all counsel of record.<sup>1</sup>

/s/ Brian C. Lewis

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<sup>1</sup> No classified is contained in this filing. Based on upon communications from the Government's counsel and from the Court Security Office ("CSO"), counsel has submitted this filing directly through the Court's ECF system without first having it cleared by the CSO because it does not contain classified information.