

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

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

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Misc. No. 08-442 (TFH)

Civil Action No. 08-cv-1828 (RMU)

PETITIONER MULLAH NORULLAH NOORI'S STATUS REPORT

Petitioner Mullah Norullah Noori ("Petitioner") in the above-captioned action, by and through his undersigned counsel, respectfully submits this Status Report in response to the Court's December 12, 2008 Order.

1. Petitioner is an Afghani civilian who remains incarcerated in the unlawful custody of Respondents at Guantanamo and has been wrongly classified as an "enemy combatant."

2. A petition for relief was filed on September 5, 2007 under the Detainee Treatment Act in the United States Court of Appeals for the District of Columbia Circuit, an action which remains pending as No. 07-1358.

3. A Petition for Writ of Habeas Corpus on his behalf was filed in this Court on October 24, 2008.

4. The above-captioned case for Petitioner was assigned to Judge Ricardo M. Urbina. On December 12, 2008, Judge Urbina signed an Order transferring Petitioner's case to Judge Thomas F. Hogan for coordination and management.

5. By subsequent Minute Order dated December 12, 2008, Judge Hogan ordered that "the Protective Order And Procedures For Counsel Access To Detainees At The United States

Naval Base In Guantanamo Bay, Cuba, first entered on September 11, 2008, in 08-mc-442 (docket #409) applies in this case.” Additionally, by the same Order, the Court “directs counsel to the Court's orders in 08-mc-0442 that apply to all cases consolidated thereunder. . . .”

6. This Court’s December 12, 2008 Minute Order further requires the filing of a signed authorization by February 12, 2009. Due to the fact that until December 12, 2008, no Protective Order had been entered so as to permit a visit by counsel, as of this date, undersigned counsel has not visited with Petitioner, nor secured a direct authorization from him.¹ Undersigned counsel intends to request an extension of time within which to secure direct authorization to ensure there is adequate time to visit with Petitioner.

7. No factual return and no other information has ever been provided by the Government in connection with either the habeas Petition or the DTA Petition.

8. There are no motions pending before this Court.

9. Petitioner hereby gives notice to Respondents and to the Court that he requests thirty days’ prior notice of transfer pursuant to the Court’s order of July 10, 2008 (Dkt. 52-2, Civil Action No. 08-mc-442).

¹ We have thus far proceeded on the authorization granted by Mr. Sami Al Hajj, Next Friend.

/s/ Patricia A. Sullivan

Deming E. Sherman (#1138)

Patricia A. Sullivan (#2120)

EDWARDS ANGELL PALMER & DODGE LLP

2800 Financial Plaza

Providence, RI 02903

Tel: (401) 274-9200

Fax: (401) 276-6611

psullivan@eapdlaw.com

dsherma@eapdlaw.com

Jared A. Goldstein

ROGER WILLIAMS UNIVERSITY

SCHOOL OF LAW

Ten Metacom Avenue

Bristol, RI 02809

Tel: (401) 254-4594

Michael Ratner

Shayana Kadidal

J. Wells Dixon

CENTER FOR CONSTITUTIONAL RIGHTS

666 Broadway, 7th Floor

New York, New York 10012

Tel: (212) 614-6464

Fax: (212) 614-6499

Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of December, 2008, a true copy of the foregoing document was served upon each attorney of record in C.A. No. 08-cv-1828 (RMU) listed below by electronic filing, via ECF, of this document with the United States District Court for the District of Columbia:

Terry M. Henry

Email: terry.henry@usdoj.gov

Attorneys for Respondents

I hereby certify that on the 18th day of December, 2008, I electronically filed the foregoing document in Misc. No. 08-442 (TFH) with the Clerk of the Court using the ECF system, which will send notification of such filings to all counsel of record.

/s/ Patricia A. Sullivan

Patricia A. Sullivan