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

IN RE: _____ X
GUANTÁNAMO BAY : Misc. No. 08-442 (TFH)
DETAINEE LITIGATION :
_____ X
MOHAMMED SULAYMON BARRE, :
Petitioner, :
v. : Civil Action No. 08 CV 1153 (HHK)
GEORGE W. BUSH, *et al.*, :
Respondents. :
_____ X

PETITIONER'S STATUS REPORT

Petitioner Mohammed Sulaymon Barre (“Petitioner”), by and through his undersigned counsel, respectfully submits this status report pursuant to the Court’s July 11, 2008 Scheduling Order:

1. Petitioner is a refugee protected under the United Nations (“UN”) mandate. He is from the Republic of Somaliland, a quasi-independent country that declared its independence from Somalia in 1991. Undersigned counsel believe that the primary, and perhaps sole, reason Petitioner remains imprisoned at Guantánamo is because he is a recognized refugee from Somalia, a country mired in civil war, who would like to return to Somaliland, a country which the United States does not officially recognize.

2. UNHCR has provided undersigned counsel with documentation confirming Petitioner's refugee status and interactions with the UNHCR office in Pakistan and its affiliates during the years in which he was under their protection.¹ He was gainfully employed and living with his wife when he was abducted from his home in Pakistan; he has been detained without charge or trial ever since.
3. Undersigned counsel are engaged in an ongoing dialogue with UNHCR and high-ranking government officials from the Republic of Somaliland committed to Petitioner's voluntary return to freedom in Somaliland.
4. Respondents have not notified undersigned counsel whether or not Petitioner is cleared for release or transfer, but on information and belief, they have provided such notice to UNHCR.
5. Petitioner is in near-constant isolation at Guantánamo Bay.
6. Petitioner cannot safely return to Somalia. He has filed a notice of his request for a thirty day notice of transfer order subsequent to this Court's July 11, 2008 order. This order should be entered immediately given the fear of transfer.
7. On July 15, 2008, Petitioner, with consent from Respondents, moved this Court for entry of the habeas protective order. This motion is pending and should be entered immediately.
8. Respondents have not produced a factual return, but have produced classified and unclassified CSRT records in Petitioner's corresponding DTA case on April 28, 2008. He is prepared to litigate on the merits. The Court should order

¹ Respondents failed to notify UNHCR that there were internationally recognized refugees imprisoned at Guantánamo, including Petitioner Barre, until UNHCR discovered this information on its own and wrote to Respondent in December 2006.

Respondents to allow Petitioner to use the DTA record to avoid further delay. In the alternative, the Court should grant an exception to the proposed schedule for production of returns given the extraordinary circumstances of Petitioner's current UN mandate refugee status.

9. Accordingly, Petitioner requests that this Court transfer this case back to Judge Kennedy for a status conference and merits proceedings. Alternatively, Petitioner requests that this Court set the following schedule for merits briefing and argument:

Petitioner's Opening Brief – September 1, 2008

Respondents' Opposition Brief – September 22, 2008

Petitioner's Reply Brief – October 6, 2008

Oral Argument – October 13, 2008

Dated: New York, New York
July 18, 2008

Respectfully submitted,

Counsel for Petitioner:

/s/ Emilou MacLean
Emilou MacLean (Pursuant to LCvR 83.2(g))
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