

[ECF FILING CLEARED BY RESPONDENTS VIA EMAIL]

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

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

Misc. No. 08-442 (TFH)

Civil Action No. 05-CV-2186 (ESH)

**STATUS REPORT FOR PETITIONER
HAYAL AZIZ AHMED AL-MITHALI (ISN 840)**

Pursuant to the Court's July 11, 2008 Order, Petitioner Hayal Aziz Ahmed Al-Mithali ("Petitioner"), by undersigned counsel, respectfully submits the following status report.

1. Petitioner, a Yemeni national, was apprehended by Pakistani authorities on September 11, 2002. Soon thereafter, he was transferred to the custody of Respondents and then to the United States Naval Base at Guantánamo Bay, Cuba ("Guantánamo"), where he has been detained ever since.

2. A Petition for Writ of Habeas Corpus ("Petition") was filed on behalf of Petitioner on November 7, 2005.

3. Respondents have filed public and classified factual returns with respect to Petitioner. Beyond these returns, Respondents have not provided any additional discovery. Such discovery is necessary for the adjudication of the Petition.

4. Petitioner has a thirty-day notice order in place. Pursuant to this Court's July 11, 2008 Order, counsel for Petitioner has sought confirmation from Respondents that counsel for Petitioner will receive thirty days' notice prior to removal or transfer from Guantánamo. Counsel for Petitioner has provided notice of such confirmation to the Court. *See* Notice Of Petitioners' Request For 30-Days Notice Of Transfer (filed July 15, 2008).

5. Upon information and belief, Petitioner has not been charged in any military tribunal proceeding.

6. Upon information and belief, Petitioner has not been cleared for transfer.

July 18, 2008

Respectfully submitted,

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