

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MAHMMOUD OMAR MOHAMMED)	
BIN ATEFF)	
Guantanamo Bay, CUBA)	
Petitioner)	Misc. No. 08-442 (TFH)
)	
v.)	1:08-cv-01232 (JR)
)	
)	
GEORGE W. BUSH, <i>et. al.</i>)	
Defendant)	

**DEFENDANT’S MOTION FOR EXTENSION OF TIME
TO FILE AUTHORIZATION TO PROCEED**

William E. Marsh, court appointed counsel for petitioner moves the court for an extension of time to file an authorization by petitioner to proceed and in support of the motion states:

1. This court’s order of August 8, 2008, appointed this federal defender office to represent the petitioner in a next friend habeas corpus petition filed on July 17, 2008, and undersigned counsel promptly entered an appearance on behalf of petitioner.

2. On July 29, 2008, the court ordered counsel to file an authorization to proceed within 90 days; that deadline was extended, pursuant to a motion by undersigned counsel, to December 29, 2008.
3. Counsel has attempted to meet with petitioner at Guantanamo and has sent him correspondence, but is unable at this time to file an authorization to proceed or a declaration of counsel that petitioner has authorized counsel to proceed. Counsel plans to attempt to visit petitioner again on February 12, 2009.
4. Additional time is required for petitioner to be able to make an informed decision as to whether to authorize counsel to represent him in this case.
5. A standard used in some similar cases in this court has allowed counsel time to make two visits to Guantanamo before the authorization deadline.
6. I informed Terry Henry, attorney for respondents, by telephone voice mail of my intention to file this motion and requested a return call, but have not received a response.

Wherefore counsel respectfully moves the court to extend the time for filing the authorization from petitioner to proceed be extended for at least 60 days.

Dated: December 30, 2008

/s/ William E. Marsh

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