

[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-2185 (JR)

**STATUS REPORT FOR PETITIONER
ABDU AL-QADER HUSSAIN AL-MUDAFARI (ISN 040)**

Pursuant to the Court's July 11, 2008 Order, Petitioner Abdu Al-Qader Hussain Al-Mudafari ("Petitioner"), by undersigned counsel, respectfully submits the following status report.

1. Petitioner, a Yemeni national, was apprehended by Pakistani authorities in late 2001. 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. The Petition was dismissed *sua sponte* by the Court on jurisdictional grounds on April 5, 2007. On July 2, 2008, Petitioner moved, with consent of Respondents, for reinstatement of

the action based on the decision of the Supreme Court in *Boumediene v. Bush*, 128 S. Ct. 2229 (2008). Petitioner also moved for a scheduling conference. Docket No. 65. Those motions are pending.

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 had a thirty-day notice order in place prior to the dismissal of his Petition. Pursuant to this Court's July 11, 2008 Order, counsel for Petitioner has requested from Respondents thirty days' notice prior to removal or transfer from Guantánamo, and has provided notice of such request 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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