

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

IN RE:

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) **Misc. No. 08-442 (TFH)**

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**GUANTÁNAMO BAY
DETAINEE LITIGATION**

) **Civ. Action No. 06-1761 (ESH)**

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PETITIONER ACHRAF SALIM ABDESSALAM'S STATUS REPORT

1. Petitioner Achraf Salim Abdessalam, ISN #263 (hereafter "Achraf" or "Petitioner") has been imprisoned at Guantanamo Bay for approximately six years. He remains there today.
2. On October 16, 2005, Achraf, through counsel, filed a Petition for Writ of *Habeas Corpus* ("the Petition"). He is the only petitioner in the case *Abdessalam v. Bush*, Case No. 06-1761 (ESH). Achraf does not have any other pending habeas cases.
3. To date, the Government has not provided a factual return in this matter stating why it is holding Petitioner. Additionally, the Government has not provided any classified evidence or information related to the CSRTs or ARBs or the classified transcripts of the CSRTs or ARBs.
4. Achraf has filed two emergency motions that are currently pending. On June 16, 2008, Achraf filed an Emergency Motion for a habeas corpus hearing. (*See* Docket Entry No. 22.) In his first Emergency Motion, Achraf requested that the Court schedule an evidentiary hearing and require that (a) Respondents produce evidence justifying Achraf's continued imprisonment; (b) Achraf's lawyers be permitted to cross examine Respondents' witnesses, examine any documentary evidence offered or used by Respondents during the hearing, and contest the admissibility and reliability of Respondents' evidence; and (c) Achraf be entitled to introduce evidence on his own behalf.

5. In this Emergency Motion, Achraf also requested that the Government be ordered to produce materials, including the complete CSRT and ARB records.

6. In this Emergency Motion, Achraf also requested an order that he not be returned to Libya once he is released from Guantánamo Bay.

7. On June 23, 2008, Respondents filed a Memorandum in opposition to Petitioner's Emergency Motion for a habeas corpus hearing. (*See* Docket Entry No. 23.) Because Respondents' memorandum failed to raise any substantive reasons to deny Abdul-Rahman's motion, Petitioner determined that a reply was unnecessary. Therefore, this motion is fully briefed and currently pending before the Court.

8. On June 24, 2008, Achraf filed an Emergency Motion for Order to Show Cause requesting that the Court order Respondents to provide in writing within seven days or within a reasonable time all of their reasons for continuing to hold Petitioner at the Guantánamo Bay Naval Station, including and in particular, the classified information from Petitioner's CSRT and ARB. (*See* Docket Entry No. 25.)

9. On July 7, 2008, Respondents filed a Response to Achraf's Emergency Motion to Show Cause. (*See* Docket Entry No. 28.)

10. On July 9, 2008, Achraf filed a Reply in Support of the Motion for Order to Show Cause. (*See* Docket Entry No. 29.) This Motion is therefore fully briefed and currently pending before this Court.

11. On July 18, 2008, pursuant to this Court's order entered on July 10, 2008, counsel for Petitioner requested by e-mail that the Government provide 30 days advance notice to the Court, Petitioner, and counsel for Petitioner of any intended removal of Petitioner from Guantanamo Bay, Cuba. Achraf is originally from Libya. However, he has not lived there for nearly 15 years

and fears that he will be tortured or persecuted if he returns to Libya. Therefore, Achraf does not wish to be returned to Libya.

12. In addition, Petitioner states that the Amended Habeas Protective Order has been entered in this matter. (*See* Docket Entry No. 11.)

WHEREFORE, Petitioner hereby provides notice of his request that the Government provide 30 days advance notice of any intended removal of petitioner from Guantánamo Bay, Cuba.

WHEREFORE, Petitioner respectfully requests that (a) this Court grant Petitioner's Emergency Motion and schedule an expeditious habeas corpus hearing; and (b) this Court grant Petitioner's Emergency Motion for Order to Show Cause and order that Respondents provide in writing within seven days or on a date certain within a reasonable time their reasons for contuing to hold Petitioner, including provision of the classified CSRT and ARB records.

Date: July 18, 2008

Respectfully submitted,

/s/ Thomas P. Sullivan
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CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2008, I caused the foregoing PETITIONER ACHRAF SALIM ABDESSALAM'S STATUS REPORT to be filed and served electronically to counsel of record in the above-captioned matter via the CM/ECF system.

/s/ Thomas P. Sullivan

Thomas P. Sullivan