

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

In Re: Guantanamo Bay
Detainee Litigation

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

Ahmed "Doe", *et al.*,

)
)
) Petitioner,

)
) Case No. 05-CV-1458 (ESH-AK)
)

) v.
)
)

)
) George W. Bush,
President of the United States, et al.,)

)
) Respondents.
)

**STATUS REPORT ON BEHALF OF
PETITIONER AHMED DOE**

Submitted By:

Kevin G. Boris
RUPRECHT, HART & WEEKS, LLP
306 Main Street
Millburn, NJ 07041
Tel: (973) 379 2400
Fax: (973) 379 2446

The petitioner, through counsel, submits the following status report pursuant to the Court's Scheduling Order dated July 11, 2008.

PROCEDURAL HISTORY

On July 26, 2005, Petitioner Ahmed "Doe" through his next friend Omar Deghayes ("Petitioners") filed a petition for Writ of Habeas Corpus. On August 31, 2005, Respondents filed a Motion for Order to Show Cause Why Case Should Not Be Dismissed for Lack of Proper "Next Friend" Standing or, in the Alternative, to Stay Proceedings Pending Related Appeals. On November 4, 2005, the Honorable Louis F. Oberdorfer, U.S.D.J., granted Respondents' Motion for Order to Show Cause and set the matter down for hearing. On December 5, 2005, Judge Oberdorfer entered an order, without objection, that the hearing would be continued pending further order. On March 29, 2006, Petitioners filed a motion seeking the entry of the Protective Order. On March 31, 2006, the Honorable Ellen S. Huvelle, U.S.D.J. entered an order that all pending motions denying all pending motions without prejudice until such time the question of this Court's jurisdiction to adjudicate these cases is resolved, and staying the case pending the resolution of this Court's jurisdiction. On July 7, 2006, Respondents filed a motion for procedures related to review of certain detainee materials. This motion was withdrawn on July 20, 2006. On July 21, 2006, Respondents renewed their motion seeking entry of the Protective Order. On July 27, 2006, Judge Huvelle granted Petitioners renewed motion for entry of the Protective Order. On April 19, 2007, Respondents filed a motion to dismiss. On July 5, 2007, Judge Huvelle denied without prejudice Respondents motion to dismiss. On July 2, 2008, Judge Huvelle entered an order transferring this case to the Honorable Thomas F. Hogan, U.S.D.J., for coordination and management.

FACTUAL HISTORY

Ahmed Doe is a citizen of Libya. Upon information and belief, Ahmed Doe previously resided in Tripoli, Libya.

Respondents have not filed a factual return, nor have they been able to positively identify Ahmed Doe. Respondents have not provided an ISN for Ahmed Doe. Due to the problems concerning Ahmed Doe's identity, Petitioner's counsel is not in possession of further factual information concerning Ahmed Doe¹.

¹ On July 14, 2008, undersigned counsel contacted counsel for the Respondents seeking to confirm the identity of Ahmed Doe due to the belief that Ahmed Doe's true identity may in fact be Sofian Ebrahim Hamad Hamoodah. Respondents were unable to confirm or deny Ahmed Doe's identity.

PENDING ISSUES

Respondents have not filed a Factual Return. Petitioner requests an order from this Court requiring the government to file a return, so full investigation of the facts of this matter can be known.

Petitioners request that the Court hold a status conference so that the parties may discuss issues that have arisen out of the within status report and/or future scheduling matters.

Petitioners request that Respondents be compelled to provide any and all identifying information to clarify the correct identity of Ahmed Doe.

Dated this 18th day of July, 2008.

Respectfully submitted,

Kevin G. Boris
RUPRECHT, HART & WEEKS, LLP
306 Main Street
Millburn, NJ 07041

By: /s/ Kevin G. Boris