

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____	x	
	:	
IN RE:	:	
	:	
GUANTÁNAMO BAY	:	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION	:	
	:	
_____	x	
	:	
MAJID KHAN,	:	
	:	
	:	
Petitioner,	:	
	:	
v.	:	Civil Action No. 06-1690 (RBW)
	:	
GEORGE W. BUSH, <i>et al.</i> ,	:	
	:	
	:	
Respondents.	:	
	:	
_____	x	

RESPONSE TO ORDER OF THE COURT

Petitioner Majid Khan, by and through his undersigned counsel, respectfully submits this response to the Court’s February 5, 2009 Order (dkt. no. 135).

1. Khan objects to further delay of this case for the reasons set forth in his motion for reconsideration of Judge Hogan’s Minute Order, dated February 2, 2009, granting the government an extension of time, until February 27, 2009, to file a factual return (dkt. no. 134).

2. The Court should schedule an initial status conference, promptly upon the government filing a factual return, to address matters concerning (a) application of the government’s “enemy combatant” definition to Khan, (b) Khan’s entitlement to full constitutional rights based on his legal status in the United States and his other substantial, voluntary ties to this country, and (c) the implications of his undisputed torture.

Dated: New York, New York
February 8, 2009

Respectfully submitted,

/s/ J. Wells Dixon

J. Wells Dixon (Pursuant to LCvR 83.2(g))
Gitanjali S. Gutierrez (Pursuant to LCvR 83.2(g))
Shayana D. Kadidal
CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
New York, New York 10012
Tel: (212) 614-6423
Fax: (212) 614-6499
wdixon@ccrjustice.org
ggutierrez@ccrjustice.org
skadidal@ccrjustice.org

Counsel for Majid Khan