

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

IN RE:

GUANTÁNAMO BAY
DETAINEE LITIGATION

MOHAMMED AL QAHTANI *et al.*,

Petitioners,

v.

GEORGE W. BUSH *et al.*,

Respondents.

Misc. No. 08-442 (TFH)

Civil Action No. 05-1971 (RMC)

PETITIONER'S STATUS REPORT

Petitioner Mohammed al Qahtani, by and through his undersigned counsel, respectfully submits this report pursuant to the Court's July 11, 2008 Scheduling Order:

1. Petitioner is a citizen of Saudi Arabia who remains detained at Guantánamo Bay Naval Station, Guantánamo Bay, Cuba. The government has designated him as interment serial number 063.
2. The Amended Protective Order was entered by consent in this case on October 26, 2005 by Minute Order.
3. Respondents have not filed a Factual Return in response to the habeas petition.

4. Substantial and weighty factual issues exist in this case concerning the government's interrogation of Petitioner al Qahtani pursuant to the "First Special Interrogation Plan." *See* Office of the Inspector General, U.S. Dep't of Justice, *A Review of the FBI's Involvement and Observations of Detainee Interrogations in Guantanamo Bay, Afghanistan and Iraq* (May 2008). Prior to Respondents' submission of a factual return, factual questions must be resolved concerning whether the government has relied on information derived from unlawful coercion, which should be excluded, and whether it has exculpatory information concerning the nature of Petitioner's interrogations.
5. The district court dismissed this petition on jurisdictional grounds on May 9, 2008. Petitioner filed a consent Motion to Reopen on July 16, 2008.
6. Accordingly, Petitioner respectfully requests that this Court grant Petitioner's Motion to Reopen and transfer this case back to Judge Collyer for resolution of the factual issues concerning Petitioner's interrogations.

Dated: New York, New York
July 18, 2008

Respectfully submitted,

Counsel for Petitioner:

/s/ Gitanjali S. Gutierrez
Gitanjali S. Gutierrez
CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
New York, New York 10012
Tel: (212) 614-6485
Fax: (212) 614-6499