

While Petitioner cannot reveal the details of any classified information provided in the instant pleading, his factual return, which was delivered in December of 2008, reveals that evidence offered to support further detention is so insubstantial that it is unlikely that petitioner may continue to be detained under any viable legal theory.

Thus, as of his status hearing date, April 17, 2009, *see* Docket Entry #111, petitioner intends to move to terminate the stay of proceedings should the release for which he has been cleared for more than a year not be effected by that date. At that time, he will seek discovery, file motions and ask this Court to hold evidentiary hearings in his case.

Respectfully submitted,

Dated: March 9, 2009

/s/ Shereen J. Charlick
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