

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

_____	)	
<b>ASIM BEN THABIT AL-KHALAQI,</b>	)	
	)	
<i>Petitioner,</i>	)	
	)	<b>MISC. CIV. ACTION NO. 08-MC-442 (TFH)</b>
<i>v.</i>	)	<b>CIVIL ACTION NO. 05-CV-0999 (RBW)</b>
	)	
<b>BARACK H. OBAMA, et al.,</b>	)	
	)	
<i>Respondents.</i>	)	
_____	)	

**NOTICE OF INTENT/CLARIFICATION REGARDING STAY OF PROCEEDINGS  
IN PETITIONER'S CASE**

This Notice is in Response to Respondents' Status Report which identifies Petitioner Petitioner Asim Ben Thabit Al-Khalaqi, as an individual who has been cleared for release or transfer from Guantanamo Bay Naval Base and who, through the parties' agreement, had proceedings stayed in his case for a finite period of time. *See* Respondents' March 4, 2009 Status Report, Docket Entry #142. Counsel submits the following notice to clarify for the Court Petitioner's intention to move to terminate the stay of proceedings in his case. He originally agreed to stay proceedings in the hope and expectation that the new administration would act more expeditiously in securing his release. He has been cleared for release for over a year to date. Unfortunately, the government has provided no evidence of any efforts or progress made toward obtaining Petitioner's release to his country of Yemen.<sup>1</sup>

<sup>1</sup> He would also be willing to be returned to Saudi Arabia where he grew up but he is not a citizen of Saudi Arabia.

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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