

Exhibit A

Filed with CSO on June 24, 2008
Cleared for Public Filing by DOJ on July 2, 2008

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

AMER MOHAMMON, et al.,)	
)	
Petitioners,)	
)	
v.)	No. 1:05-CV-2386 (RBW)
)	
GEORGE W. BUSH, et al.,)	
)	
Respondents.)	

**PETITIONER SULAEIMAN’S
EMERGENCY MOTION FOR ORDER TO SHOW CAUSE**

Petitioner Abdul-Rahman Sulaeiman (“Petitioner”), through counsel, respectfully submits the following emergency motion:

That this Court order Respondents to provide in writing within seven days, or on a date certain within a reasonable time after the order is entered, all of their reasons for continuing to hold Petitioner at the Guantánamo Bay Naval Station, and all of the information upon which they base those reasons, including any classified information which shall be deposited in the secure facility.

In accordance with LCvR 7(m), counsel for Petitioner attempted via telephone and electronic mail to discuss this motion with counsel for Respondents

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but was unable to reach counsel for Respondents. Accordingly, counsel for Petitioner was unable to determine if Respondents object to the relief sought herein

Dated: June 24, 2008

Respectfully submitted,

/s/ Thomas P. Sullivan
One of the Attorneys for Petitioner

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CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2008, I caused the foregoing Petitioner Sulaeiman's Emergency Motion for Order to Show Cause, a memorandum in support thereof, and a proposed order, previously filed with the CSO on June 24, 2008, and cleared for public filing by the DOJ, to be delivered to the below-listed counsel of record in the above-captioned matter through the CM/ECF system:

Andrew I. Warden
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue NW
Washington, D.C. 20530

Terry Marcus Henry
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue NW
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/s/ Thomas P. Sullivan

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**MEMORANDUM IN SUPPORT OF PETITIONER SULAEIMAN'S
EMERGENCY MOTION FOR ORDER TO SHOW CAUSE**

Petitioner Abdul-Rahman Sulaeiman (“Petitioner”) has moved this Court to order Respondents to provide in writing within seven days, or on a date certain within a reasonable time after the order is entered, all of their reasons for continuing to hold Petitioner at the Guantánamo Bay Naval Station, and all of the information upon which they base those reasons, including any classified information which shall be deposited in the secure facility.

STATEMENT OF FACTS

Petitioner is a citizen of Yemen. He is presently held at Guantánamo and has been held virtually incommunicado in Respondents’ custody and control for approximately six years.

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On December 21, 2005, Petitioner, through counsel, filed a Petition for Writ of *Habeas Corpus* (the “Petition”) in this Court. The Petition contests both the fact of Petitioner’s incarceration as well as his treatment in violation of the Constitution and laws of the United States, the Uniform Code of Military Justice, specified treaties to which the United States is a party, and various principles of international law, as set forth more fully in the Petition. On January 5, 2006, counsel for Respondents appeared in this case. Further, Respondents have filed pleadings in this matter.

On information and belief, Respondents’ agents have interrogated Petitioner on numerous occasions and should be fully aware of the reasons why Petitioner continues to be held in prison. Respondents have acknowledged that the Department of Defense completed so-called CSRT hearings at which each prisoner’s “enemy combatant” status and his imprisonment generally were reviewed.

ARGUMENT

The United States Supreme Court in *Boumediene, et al., v. Bush, et al.*, No. 06-1195 (June 12, 2008), held that Petitioner is “entitled to a prompt *habeas corpus* hearing” to determine the legality of his imprisonment. *Boumediene*, slip op. at 66. Petitioner’s “access to the writ [of *habeas corpus*] is a necessity to

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determine the lawfulness of [Petitioner's] status" and whether the Respondents may continue to hold him. *Id.* at 69. In an Emergency Motion filed with the court security officer on June 16, 2008, and publicly filed on June 18, 2008, Petitioner has requested a prompt hearing in this matter.

It is essential to the Petitioner's ability to prepare for the hearing, and to challenge the Respondents' assertion that Petitioner is an "enemy combatant," that Respondents provide all of the reasons they rely upon to justify continuing to hold Petitioner. Accordingly, Petitioner asks the Court to order Respondents to provide in writing all of the reasons why they are continuing to hold Petitioner at the Guantánamo Bay Naval Station, and the information that allegedly supports those reasons, including any classified information. At a minimum, this information includes, but is not limited to, the complete and unredacted so-called "factual return" related to the CSRT conducted with regard to Petitioner, including any classified material.

Counsel for Petitioner already has received security clearance and is able to review classified information related to the Petitioner in the secure facility that was established for counsel of prisoners at Guantánamo Bay. In addition, this Court has already entered, and counsel for Petitioner has already agreed to, the protective order related to classified information in this case. Accordingly, Respondents

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should be ordered to deposit promptly in the secure facility any classified information related to the reasons why Respondents are holding Petitioner.

Because the Respondents have had years to evaluate Petitioner's alleged "enemy combatant" status, and to review evidence relating to why Petitioner is still held, Respondents should not need more than seven days to provide the requested information.

Numerous courts in this District have granted relief of the kind sought in Petitioner's motion. *E.g., Said, et al., v. Bush*, No. 05-CV-2384 (May 23, 2006); *Othman v. Bush*, No. 05-CV-2088 (D.D.C. Dec. 28, 2005); *Al-Bahooth, et al. v. Bush, et al.*, No. 05-1666 (D.D.C. Dec. 20, 2005); *Adem v. Bush*, No. 05-CV-723 (D.D.C. June 6, 2005).

Dated: June 24, 2008

Respectfully submitted,

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[PROPOSED] ORDER

Having considered Petitioner Sulaeiman’s Emergency Motion for Order to Show Cause and authorities and points in support thereof, this Court grants Petitioner’s Motion and it is hereby ordered that:

Within seven days of this order, Respondents shall to provide in writing to counsel for Petitioner all of Respondents’ reasons for continuing to hold Petitioner at the Guantánamo Bay Naval Station. and all of the information upon which they base those reasons, including any classified information which shall be deposited in the secure facility for review by counsel for Petitioner.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE

Signed this ____ day of _____, 2008