

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

IN RE:
GUANTANAMO BAY DETAINEE LITIGATION

Misc. No. 08-442 (TFH)

JAMAL KIYEMBA, AS NEXT FRIEND OF
ABDUSABUR DOE, et al.,

Petitioners,

v.

GEORGE W. BUSH, et al.,

Respondents.

Civil Action No. 05-1509 (RMU)

**HUZAIFA PARHAT'S MOTION FOR IMMEDIATE RELEASE ON PAROLE
INTO THE CONTINENTAL UNITED STATES PENDING FINAL JUDGMENT
ON HIS *HABEAS* PETITION**

Huzaifa Parhat, a civilian determined not to be an enemy combatant, yet wrongfully imprisoned at Guantánamo Bay, moves for immediate release on parole into the continental United States pending final judgment in this *habeas corpus* action. As grounds therefor, Parhat relies on the Declarations of Alim Seytoff and Rebia Kadeer and his memorandum of points and authorities in support hereof, submitted herewith, as well as the memorandum of points and authorities in support of his motion for judgment ordering release, and the accompanying July 21, 2008 Declaration of Sabin Willett, and says:

1. Parhat is a civilian who has been determined not to be an enemy combatant by the Court of Appeals for the District of Columbia Circuit. He has moved for judgment ordering his immediate release.
2. Parhat continues to be unlawfully detained at Guantánamo, where he is now suffering in his seventh year.

3. Parhat expects the government to vigorously oppose his motion for judgment, and expects that this Court's review of that motion and the potential appeals from this Court's final judgment to be time-consuming.

4. An immediate vehicle for release is available. A community of Uighur (also spelled "Uyghur") Americans is resident in the District of Columbia and its environs, and is deeply sympathetic to Mr. Parhat's plight. *See generally* Declarations of Alim Seytoff and Rebiya Kadeer, submitted herewith. This expatriate community has deep loyalty to the United States. Its leader, Ms. Kadeer, has met with and been honored by President Bush for her tireless efforts in behalf of human rights. The community also has broad experience helping Uighur refugees – some of them victims of long imprisonment – to negotiate the linguistic and practical challenges of resettlement in the United States. Ms. Kadeer herself, current president of the Uyghur American Association and the World Uyghur Congress, arrived in this country in 2005 after a long and harsh imprisonment in the People's Republic of China. Kadeer Decl. ¶¶ 5, 8.

5. The Uyghur American community can provide valuable assistance in assuring that Parhat can understand and comply with whatever conditions of release may be imposed by the Court, which may include maintaining close contact with immigration authorities and the U.S. Marshals' Service, as well as the Court. All such arrangements can be addressed at Parhat's parole hearing.

WHEREFORE, Parhat requests that:

A. The Court convene an immediate hearing, at which the government should be ordered to produce Parhat, to consider terms and conditions of parole. The court should permit testimony and/or other proffer of information from the parties as to the logistical support necessary to effectuate parole.

B. At hearing, the Court should immediately order Parhat released on parole pending final judgment. The Court should enter such conditions for reporting and monitoring as are reasonable in the circumstances.

C. The Court should enter such other and further relief as may be just and proper.

Respectfully submitted,

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