

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

IN RE:)

GUANTANAMO BAY)
DETAINEE LITIGATION)

) Misc. No. 08-442 (TFH)

) Civ. Action No. 08-CV-1221 (CKK)
)
)
)
_____)

PETITIONER'S STATUS REPORT¹

Pursuant to Judge Hogan's Order entered on July 24, 2008, undersigned counsel for Petitioner states that the status of this case is as follows:

1. Petitioner's name is Shakhrukh Hamiduva. He is a Uzbek national currently detained by the United States at Guantanamo Bay, Cuba. Petitioner has been assigned Internment Serial Number 22. Petitioner has been detained at Guantanamo since 2002.
2. The Protective Order has been entered in this case.
3. Petitioner's original petition for a writ of *habeas corpus* was authorized by his mother, Adina Hamiduva, acting as Petitioner's next friend. Counsel for Petitioner have recently visited Petitioner at Guantanamo Bay and have obtained his direct authorization to represent him in this action. Petitioner's express authorization is attached hereto as Exhibit A.

¹ Undersigned counsel failed to file Petitioner's Status Report by the Court's deadline of August 1, 2008. This failure is due to the fact that undersigned counsel and two co-counsel were visiting Petitioner at Guantanamo Bay for the first time during the week between entry of the Court's July 24, 2008 Order and the August 1, 2008 deadline.

4. A Combatant Status Review Tribunal (“CSRT”) has deemed Petitioner to be an enemy combatant. Counsel for Respondents have recently indicated that the Department of Defense has approved Petitioner for either release or transfer from Guantanamo Bay. Counsel for Respondents have also indicated that Petitioner has not been charged with any crimes triable by a military commission under the Military Commissions Act of 2006.
5. The Government has yet to produce Petitioner’s CSRT record or a factual return in this case.
6. If Petitioner is released from Guantanamo, he does not wish to be sent back to Uzbekistan. The country of Uzbekistan has an atrocious human rights record and Petitioner validly fears for his own safety, and the safety of his family, if he is returned.

Dated: August 8, 2008

Respectfully submitted,

/s/ A. Stephens Clay IV
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2008, I caused the foregoing Petitioner's Status Report to be filed and served electronically to the counsel of record in the above-captioned matter via the CM/ECF system.

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