

**DOCUMENT CONTAINS PROTECTED INFORMATION AT PAR. D
CLEARED FOR PUBLIC FILING BY COURT SECURITY OFFICE**

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

)		
IN RE:)		
)		Misc. 08-MC- 442 (TFH)
GUANTANAMO BAY)		
DETAINEE LITIGATION)		Civil Action No. 08-cv-1185 (HHK)
)		
)		

PETITIONER’S STATUS REPORT

1. This status report is submitted by counsel for MOHAMMED ABD AL AL QADIR, ISN #284, pursuant to the August 15, 2008 Order of the Court after discussion with counsel for Respondents.

2. A. The parties have agreed to the entry of the *Amended Protective Order and Procedures for Counsel Access to Detainees at the U.S. Naval Base in Guantanamo Bay, Cuba* of November 8, 2004, 344 F. Supp. 2d 174 (D.D.C. 2004) together with Order Addressing Designation Procedures for Protected Information of November 10, 2004, as supplemented and amended on December 13, 2004 and these were entered herein August 18, 2008 per Minute Order (Hogan, J.)

B. There is currently a DTA petition in the D.C. Circuit Court of Appeals, MOHAMMED ABD AL AL QADIR v. BUSH, et al, No. 07-1295, which the government has moved to hold in abeyance or in the alternative dismiss without prejudice. Petitioner does not object to abeyance therein for the time being but objects to dismissal.

C. This case has not been dismissed.

**DOCUMENT CONTAINS PROTECTED INFORMATION AT PAR. D
CLEARED FOR PUBLIC FILING BY COURT SECURITY OFFICE**

D. (includes Protected Information) The petitioner has been cleared for release. this case was recently filed and has been assigned to Judge Henry H. Kennedy. This Court's July 10, 2008 Order (docket no. 33) required Respondents to provide notice to Petitioner's counsel and the Court of intent to transfer Petitioner to another country. Respondent provided such a notice to this Court on July 10, 2008 (under seal) and to Petitioner's counsel July 23, 2008. Counsel for Petitioner and Respondents have entered into a Stipulation filed with this Court (under seal) August 19, 2008, including Petitioner's assent to the notice of transfer and waiver of the balance of the 30 day notice period and seeking this Court's modification of the July 10, 2008 Order accordingly. It was also agreed to treat the Notice and the Stipulation as Protected Information. . The Protected Information status ends when the transfer is made and notification of it is given to Petitioner's counsel by Respondents.

E. Petitioner seeks both the classified and unclassified portions of the factual return, which the government has not yet provided. Petitioner seeks a complete copy of his medical records.

F. No stay is currently in effect.

G. There are currently no appeals pending, not sought in this case, excepting that the Respondents have appealed from the order of this Court of July 10, 2008 (docket entry 52 (7/11/08) in 08-MC-442) requiring 30 days notice of intent to transfer. A Notice of Appeal of the Order was filed July 25, 2008 by Respondents.

H. Counsel agree to discuss each motion with opposing counsel prior to filing, and to otherwise agree to discuss the status of the Petitioner's case and detention no less than every three weeks.

**DOCUMENT CONTAINS PROTECTED INFORMATION AT PAR. D
CLEARED FOR PUBLIC FILING BY COURT SECURITY OFFICE**

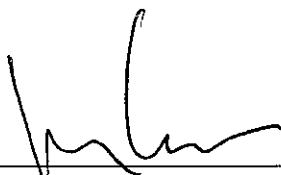
I. The government has agreed to provide the unclassified portion of the CSRT record.

August 20, 2008

OF COUNSEL:

Zachary Katznelson
Cal. Bar. No. 209489
Legal Director
Reprieve
PO Box 52742
London EC4P 4WS
United Kingdom
Tel: 011-44(0) 207-353-4640
Fax: 011-44(0) 207-353
Zachary@Reprieve.org.uk

Shayana Kadiyal
DC Bar No. 454248
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012-2317
Tel: (212) 614-6438
Fax: (212) 614-6499



Jerry Cohen
Burns & Levinson LLP
125 Summer Street
Boston, MA 02110
Tel: (617) 345-3000
jcohen@burnslev.com
D.C. Bar No. 87759
Mass. Board of Bar Overseers # 089400

Stewart Eisenberg
WEINBERG & GARBER, PC
71 King Street
Northampton, MA 01060
Tel: (413) 582-6886
Fax: (413) 582-6881
buz.e@verizon.net
Mass. Board of Bar Overseers #

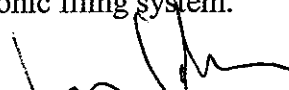
Counsel for Petitioner, Mohammed Abd Al Al Qadir

CERTIFICATE OF SERVICE

I, Jerry Cohen, hereby certify that copies of the foregoing motion were sent by Express Mail, this 20th day of August, 2008 to:

The Court Security Office
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, N.W, Suite 5330
Washington, DC 20530

for clearance for filing and service and that Notice of such submission was filed with the Court, August 20, 2008 per the Court's electronic filing system.



Jerry Cohen, Attorney for Petitioner

**DOCUMENT CONTAINS PROTECTED INFORMATION AT PAR. D
CLEARED FOR PUBLIC FILING BY COURT SECURITY OFFICE**

J:\Docs\31549\00001\01274628.DOC