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IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

IN RE:

GUANTANAMO BAY
DETAINEE LITIGATION

Misc. No. 08-442-TFH

SAIFULLAH PARACHA, et al.,
Petitioners,

v.

Case No. 04cv02022-PLF

Hon . GEORGE W. BUSH,
et al.,
Respondents.

PETITIONER'S STATUS REPORT AS OF JULY 18, 2008

Petitioner in this case is still in close confinement at Guantanamo Bay, Cuba. He was seized July 6, 2003, as he was leaving the airport at Bangkok, Thailand, after an uneventful civilian flight. He was confined in subhuman conditions at Bagram Air Force Base, Afghanistan, from July 2003 to September 2004. He has been at Guantanamo since September 2004. He has not been cleared for transfer or release. He faces no charges before a military commission.

Petitioner lived in the U.S. for about 16 years and has a U.S. green card. He is 60 years old and suffers from a severe heart problem. Several of his brothers and sisters have died from heart problems, and he has been told he urgently needs a cardiac catheterization.

Saifullah Paracha's petition for habeas corpus was filed in the U.S. District Court for the District of Columbia on November 17, 2004, and was assigned to Hon. Paul L. Friedman, U.S. D.J. The government filed a factual return, including the unclassified portion of the CSRT that wrongly labeled him an enemy combatant, and a classified portion of the CSRT so heavily redacted as to be meaningless. Judge Friedman stayed the case on March 23, 2005.

There are three matters in this case requiring prompt judicial attention:

1. On July 5, 2008, petitioner filed a "Motion to Vacate Orders Staying Action and Denying Petitioner's Motion for Discovery and for an Order Requiring Respondents to Comply with Petitioner's Discovery Requests." (Docket #4 in the consolidated case, #161 in petitioner's individual case.) Respondents did not reply within the eleven days allowed by the local rules.

Thus the Court should **sign an order lifting the stays**.

2. That motion pointed out that petitioner has had a motion for discovery pending since October 2005. The Court should also **order that discovery commence forthwith**.

3. Petitioner long ago filed a motion for summary judgment pointing out that petitioner would not be an enemy combatant even if he had knowingly given terrorists the help he is accused of giving -- and strongly denies. Petitioner filed his motion for summary judgment February 9, 2005, docket 28. The government opposed February 18, 2005, docket 39, 40, and 41. The case was stayed March 23, 2005. Petitioner moved to set aside the stay and grant the summary judgment on July 7, 2006, docket 90, and the government opposed July 25, 2006, docket 96. The Court denied the motion to set the stay aside on August 4, 2006. Thus

petitioner's motion for summary judgment has been ripe for decision for over three years.

The Court should hear and determine that motion.

Petitioner is prepared to go forward with these matters before any member of this Court.

Lifting the stay is a formality common to all the Guantanamo cases. But all other aspects of the case are fact specific: Paracha is a pro-American, anti-terrorist businessman and TV producer; the FBI and the CIA have probably been compiling files on him since his pre-9/11 attempts to get an interview with bin Laden; his son was prosecuted in the Southern District of New York; etc., etc. Petitioner believes efficiency would be served by returning the case for all purposes to the judge originally assigned, Judge Friedman.

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Respectfully submitted,

ZACHARY KATZNELSON
CLIVE STAFFORD SMITH
CORI CRIDER
Rerieve
PO Box 52742
London EC4P 4WS
United Kingdom
011 44 207 353 4640 (ph)
011 44 207 353 4641 (fax)
zachary@rerieve.org.uk

/s/
GAILLARD T. HUNT
(D.C. Bar No. 89375)
10705 Tenbrook Drive
Silver Spring, Maryland 20901
(Not admitted in Maryland)
301-530-2807 (ph)
301-564-6059 (fax)
gthunt@mdo.net

DAVID H. REMES
(D.C. Bar No. 370782)
Covington & Burling LLP
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20004
(202) 662-5212 (ph)
(202) 778-5212 (fax)
dremes@cov.com

Counsel for Petitioner