

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

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

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: **Misc. No. 08-442 (TFH)**
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: **Civil Action No. 08-1628 (PLF)**
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CONSENT MOTION FOR EXTENSION OF TIME TO FILE STATUS REPORT

1. Petitioner Mustafa Ahmed Hamlily, by and through his undersigned pro bono counsel, respectfully submits this consent motion for an extension of time from October 22, 2008 to October 30, 2008 to file a status report pursuant to the Court's October 14, 2008 order.

2. On May 3, 2007, Hamlily, a citizen of Algeria, filed in the United States Court of Appeals for the District of Columbia Circuit a petition for immediate release pursuant to the Detainee Treatment Act ("DTA") and, in the alternative, for a writ of habeas corpus.

3. On or around July 2, 2008, Hamlily was transferred to the custody of the Algerian government.

4. On July 3, 2008, Respondents moved to dismiss Hamlily's DTA petition for want of jurisdiction. Hamlily agreed to the dismissal of his DTA petition but because of ongoing collateral consequences that he faces in Algeria as a result of the US government's wrongful designation of him as an enemy combatant, Hamlily requested on August 4, 2008 that his alternative habeas petition be transferred to the district court for adjudication of his claims.

5. On September 18, 2008, the Court of Appeals dismissed the DTA petition without prejudice and ordered that Hamlily's alternative habeas petition be transferred to this Court.

6. Counsel for Hamlily was not notified that the instant action was transferred to the Court on September 23, 2008 and did not learn of the transfer until yesterday.

7. Upon discovering that the action had been transferred, counsel for Hamlily promptly contacted counsel for Respondents to seek their consent to an extension of time until October 30, 2008 for Hamlily to file the status report that was due to be filed with the Court on October 22, 2008. Counsel for Respondents has consented to the extension.

WHEREFORE, counsel for Hamlily respectfully that the motion be granted.

Dated: October 24, 2008
New York, New York

Respectfully submitted,

CLEARY GOTTLIEB STEEN & HAMILTON
LLP

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Attorneys for Petitioner

CERTIFICATE OF REPRESENTATION WITHOUT COMPENSATION

Counsel for Petitioner Mustafa Ahmed Hamlily certify, pursuant to L. Cv. R.

83(g), that they are representing Hamlily without compensation.

Dated: October 24, 2008
New York, New York

Respectfully submitted,

CLEARY GOTTLIEB STEEN & HAMILTON
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