

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN RE:

GUANTANAMO BAY  
DETAINEE LITIGATION

Misc. No. 08-442 (TFH)

Civil Action No. 05-CV-2199 (HHK)

## STATUS REPORT

In response to the Court's July 11, 2008 Scheduling Order, counsel for Petitioner Abdulhakim Ghalib Alhag submit this status report.

Petitioner Alhag is still imprisoned by Respondents at Guantánamo Bay. Six years have passed since he was first sent to Guantánamo, yet Petitioner has never been advised of the allegations and evidence, if any, against him. Respondents have refused to produce any factual return justifying Petitioner's imprisonment. More than two and a half years have passed since November 10, 2005, when counsel filed Mr. Alhag's petition for writ of habeas corpus, yet not even his CSRT record has been produced.

On November 8, 2006, after Petitioner's counsel obtained the required security clearances, Petitioner moved for an order requiring Respondents to produce unredacted factual returns (Dkt. No. 32, 05-CV-2199). Respondents opposed the motion. Three months later, on the eve of a deadline for Petitioner's counsel to submit materials to be considered at Petitioner's Annual Review Board, Petitioner made an emergency motion for an order on his motion for factual returns (Dkt. No. 37, 05-CV-2199). Three weeks later, the Court denied Petitioner's motion.

Although it appears that Respondents have designated Petitioner an “enemy combatant,” as far as Petitioner’s counsel are aware, there is no evidence justifying this determination or Petitioner’s six year imprisonment. Respondents have not indicated that Petitioner is cleared for transfer, nor have Respondents indicated that Petitioner is to be tried by a military commission.

In accordance with Judge Hogan’s order, filed July 11, 2008 (Dkt. No. 53, 05-CV-2199), Petitioner’s counsel emailed Respondents’ counsel on July 11, 2008, requesting 30 days’ advance notice of any intended removal of Petitioner from detention at Guantánamo Bay, Cuba. Petitioner also formally noticed this request in the miscellaneous action consolidated before Judge Hogan (Notice of Petitioners’ Request for 30-Days’ Notice of Transfer, Dkt. No. 63, 08-MC-442). To date, Respondents’ counsel has not even acknowledged Petitioner’s request.

After six years of unjustified imprisonment, nearly three years of which have been spent with a habeas corpus petition pending before this Court, Petitioner desperately needs discovery in this matter, beginning with the unredacted factual returns Petitioner has long requested.

July 18, 2008

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on July 18, 2008, I filed the foregoing with via ECF, with the understanding that the ECF system would automatically serve counsel for Respondents:

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