

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

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IN RE:)	
)	Misc. No. 08-442 (TFH)
GUANTANAMO BAY)	
DETAINEE LITIGATION)	Civil Action No. 08-1230
)	

**DECLARATION BY ANDY P. HART, COUNSEL FOR
KAHLID SAAD MOHAMMED**

I, Andy P. Hart, declare the following statements are true to the best of my knowledge, information, and belief:

1. I am employed by the Office of the Federal Public Defender for the Northern District of Ohio and am counsel for Petitioner Kahlid Saad Mohammed in the above-captioned action. I offer this Declaration regarding our authority to represent Petitioner.

2. Our office was appointed to represent Petitioner by this Court on August 8, 2008. It is my understanding Petitioner’s habeas petition was filed by next friend Sami al Haji, a fellow and former detainee at Guantanamo Bay possessing knowledge of the circumstances of Petitioner’s detention by the United States Government at Guantanamo Bay.

3. Our office is presently engaged in the process of obtaining the necessary security clearance required by the Government in order to visit with Petitioner at Guantanamo Bay where he is presently detained. I and/or my colleagues, intend to travel to Guantanamo Bay, Cuba, to visit with Mr. Mohammed as soon as possible after obtaining the necessary security clearance.

4. To date, we have not received a response to our recent inquiry regarding the status of our security clearance applications.

5. We therefore respectfully seek leave of the Court for an additional 90 days within which to comply with the Court's order to secure authorization from Petitioner to pursue this action on his behalf. A proposed order is attached hereto for the Court's consideration.

Respectfully submitted,

/s/ Andy P. Hart

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Counsel for Petitioner Kahlid Saad Mohammed

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ORDER

In consideration of the Declaration filed on October 28, 2008, by counsel for Petitioner Kahlid Saad Mohammed, the Court:

ORDERS that, within 90 days of the date of this Order, counsel for Petitioner shall file a signed authorization from Petitioner to pursue the action or a declaration by counsel that states that the Petitioner directly authorized counsel to pursue the action and explains why counsel was unable to secure a signed authorization.

Thomas F. Hogan
District Court Judge