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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)

Civil Action No. 05-1490 (PLF)

**PETITIONER'S REPLY IN SUPPORT OF HIS MOTION TO LIFT STAY
AND TO SCHEDULE AN IMMEDIATE STATUS CONFERENCE**

Respondents' response to Petitioner's motion to lift the stay and schedule an immediate status conference, insofar as it seeks deferral of a status conference, is just a prescription for further delay – precisely what Justice Kennedy in *Boumediene* said is no longer tolerable. The July 1 Resolution of the Executive Session of the District Court, as implemented by this Court's order of July 2, while providing for the transfer of Guantanamo *habeas* cases, including this case, to Senior Judge Hogan for "coordination and management," make it clear that this Court will retain this case "for all other purposes."

Petitioner has been in the custody of the United States since January 2002 – more than six and one-half years. Arrested at the age of 20, he has now spent roughly one-quarter of his life in prison, without any charges ever having been brought against him. In the words of Justice Kennedy, "The costs of delay can no longer be borne by those who are held in custody." *Boumediene v. Bush*, Nos. 06-1195, 06-1196, 553 U.S. ___, ___ (2008) (Slip op. at 66). In the circumstances of this case, there is therefore every reason for the Court to schedule a status conference and begin to move this case forward to as speedy a resolution as possible.

WHEREFORE, Petitioner respectfully urges this Court to grant his motion, lift the stay and schedule an immediate status conference in this matter.

Respectfully submitted,

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