

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

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<b>IN RE:</b>	)	
	)	Misc. No. 08-442 (TFH)
<b>GUANTANAMO BAY</b>	)	
<b>DETAINEE LITIGATION</b>	)	
_____	)	
	)	
<b>HUSSAIN SALEM MOHAMMED</b>	)	
<b>ALMERFEDI, et al.,</b>	)	
	)	
Petitioners,	)	
	)	
v.	)	Civil Action No. 05-CV-1645 (PLF)
	)	
<b>GEORGE W. BUSH,</b>	)	
President of the United States,	)	
<i>et al.,</i>	)	
	)	
Respondents.	)	
_____	)	

**PETITIONER’S STATUS REPORT**

Pursuant to the Court’s Order of July 11, 2008, Petitioner Hussain Salem Mohammed Almerfedi respectfully submits this Status Report and makes the following representations:

1. Petitioner is a citizen of Yemen. He has been held under the control of United States since 2002. He was transferred to the U.S. Naval Base at Guantánamo in May 2003.
2. Petitioner is being held as an Enemy Combatant following his Combatant Status Review Tribunal in December 2004. Petitioner is not the subject of charges before a military commission.

3. Since August 8, 2005, there is pending Petitioner's Motion to require Respondents' to present a factual basis elaborating as to its reasons for detaining Petitioner.
4. Petitioner filed this petition for habeas corpus on August 16, 2005. Respondents filed a redacted and incomplete factual return for Petitioner on June 5, 2006.
5. Following the Supreme Court's decision in *Boumediene v. Bush* (decided June 18, 2008), Petitioner moved this Court for an immediate status conference to determine the next steps in this litigation. Dkt. # 42 (filed June 16, 2008). Petitioner is ready to proceed on a motion for summary judgment without prejudice to further discovery, to the extent that the Court later determines that discovery is appropriate.
6. Petitioner has not been cleared for transfer. He is subject to a 30-day notice of transfer order (granted Sept. 23, 2005). This order is pending appeal in *Abdah v. Bush*, D.C. Cir. Nos. 05-5224/5484. Petitioner wishes to return to Yemen.
7. Additionally, Petitioner has filed a petition under the Detainee Treatment Act of 2005 (DTA) in the Court of Appeals. *Almerfedi v. Gates* (No. 07-1132) (filed April 26, 2007).

Dated: July 19<sup>th</sup>, 2008

Respectfully Submitted,

/s/

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**CERTIFICATE OF SERVICE**

I certify that foregoing was served by electronic delivery (Electric Case Filing) on July 18, 2008 as well as by express delivery service upon:

U.S. Department of Justice  
Litigation Security Section (Gtmo)  
20 Massachusetts Ave, NW  
Suite 5300  
Washington, DC 20530

Dated: July 19<sup>th</sup>, 2008

Respectfully Submitted,

/s/

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