

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

IN RE:)	
)	
)	
PETITIONERS SEEKING HABEAS CORPUS)	Misc. No. 08-0442 (TFH)
RELIEF IN RELATION TO PRIOR DETENTIONS)	
AT GUANTANAMO BAY)	
)	05-cv-1983 (RMU)
)	05-cv-2104 (RBW)
)	
)	
)	

JOINT STATUS REPORT

Pursuant to this Court’s July 11, 2008 Order (Dkt. No. 53), undersigned counsel respectfully submit this consolidated status report on behalf of Petitioner Bakush (ISN 708) in Case No. 05-cv-1983 (RMU), and Petitioners Shamrany (ISN 171), Bahlool (ISN 039), and Hussain (ISN 690) in Case No. 05-cv-2104 (RBW).

1. Case No. 05-cv-1983 (RMU): Petitioner Bakush (ISN 708)

As an initial matter, Petitioner Bakush was originally identified as Ismail Alkhemisi in his October 6, 2005 Petition for Writ of Habeas Corpus. He has now been correctly identified as Ismael Ali Farag Al Bakush. Mr. Bakush has been imprisoned at the United States Naval Station, Guantanamo Bay, Cuba (“Guantanamo”) since approximately June 2002. Petitioner Bakush is a native of Libya, but he left that country more than seventeen years ago and has never returned, because he fears that he will be tortured or killed by the Qadaffi regime. For this reason, pursuant to this Court’s July 11, 2008 Order (Dkt. No. 52), we recently filed a Notice of Petitioners’ Request for 30-Days

Notice of Transfer requesting 30 days notice prior to any transfer of Mr. Bakush from Guantanamo (Dkt. No. 63).

As a result of the stays entered in the Guantanamo cases pending decision in *Boumediene*, Respondents have never produced a Factual Return for Mr. Bakush. Accordingly, we are unable to comment at this time on the nature of Respondents' allegations against Mr. Bakush.

Prior to the transfer of Mr. Bakush's case to this Court for coordination, we filed on his behalf a Motion to Lift Stay, for Production of Factual Returns, and to Set Status Conference, which is attached hereto for the Court's convenience as Ex. A. As noted in that motion, Mr. Bakush's petition was filed on behalf of another purported detainee at Guantanamo, Petitioner Belgaid. We have since determined that Mr. Belgaid is not in Guantanamo, but instead is believed to be detained at the U.S. detention facility at Bagram Air Base in Afghanistan. The undersigned counsel do not represent Mr. Belgaid.

2. Case No. 05-cv-2104 (RBW): Petitioners Shamrany (ISN 171), Bahloul (ISN 039), and Hussain (ISN 690)

Petitioners Othman Ali Mohammed Al Shamrany, Ali Hamza Ahmed Suliman Bahloul (also commonly spelled "al Bahlul"), and Abdul Al Qader Ahmed Hussain are all natives of Yemen. Each of these Petitioners has been detained by U.S. forces since late 2001 and held in Guantanamo since early 2002. As with Mr. Bakush, Respondents have never produced Factual Returns for any of these petitioners, and we therefore are unable to comment on Respondents' allegations against them. Mr. Bahloul has now been charged by the U.S. military commission in Guantanamo.

Prior to the transfer of Case No. 05-cv-2104 to this Court for coordination, we filed on behalf of these three petitioners a status report and a Motion to Lift Stay, for Production of Factual Returns, and to Set Status Conference, which are attached hereto for the Court's convenience as Exs. B and C.

Finally, we note that on July 14, 2008 we filed a status report in Misc. No. 08-0444 for Issam Al Jayfi, also named as a Petitioner in 05-cv-2104. As set forth in that status report, Mr. Al Jayfi was repatriated from Guantanamo to Yemen in December 2006. We are attempting to contact Mr. Al Jayfi in Yemen to determine whether he wishes to proceed with this petitioner based on the "collateral consequences" doctrine or stipulate to dismissal of his petition without prejudice. We will inform the Court as soon as make this determination.

Dated: July 18, 2008

Of Counsel:

Shayana Kadidal
skadidal@ccrjustice.org
CENTER FOR CONSTITUTIONAL
RIGHTS
666 Broadway, 7th Floor
New York, NY 10012
Telephone: (212) 614-6439
Fax: (212) 614-6499

/s/ Wesley Powell
Wesley R. Powell
wpowell@hunton.com
HUNTON & WILLIAMS LLP
200 Park Avenue
New York, NY 100166
Telephone: (212) 309-1000
Facsimile: (212) 309-1100

Karma B. Brown
kbbrown@hunton.com
HUNTON & WILLIAMS LLP
1900 K Street, N.W.
Washington, DC 20006-1109
Telephone: (202) 955-1500
Facsimile: (202) 778-2201