

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
IN RE:)	
)	
GUANTANAMO BAY)	Misc No. 08-442 (TFH)
DETAINEE LITIGATION)	
_____)	
)	
AL HALMANDY, <i>et al.</i> ,)	Civil Action No. 05-CV-2385 (RMU)
)	
Petitioner,)	
)	
v.)	
)	
BUSH, <i>et al.</i> ,)	
)	
Respondents.)	
_____)	

**PETITIONER’S MOTION FOR ORDER PERMITTING COUNSEL TO APPEAR
TELEPHONICALLY AT NOVEMBER 25, 2008 STATUS CONFERENCE**

Petitioner Houmad Warzly, ISN 574, also known as Hamoud Abdullah Hamoud Hassan

Al Wady, by and through counsel, hereby moves for an order permitting counsel to appear

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telephonically at the November 25, 2008 status conference set by this Court's order filed
November 10, 2008. This motion is based upon the attached declaration.

Respectfully submitted,

SEAN K. KENNEDY
Federal Public Defender

DATED: November 14, 2008

By /S/
CARLTON F. GUNN (CA Bar No. 112344)
CRAIG HARBAUGH (D.C. Bar No. 974117)
FEDERAL PUBLIC DEFENDER
321 East 2nd Street
Los Angeles, CA 90012
(213) 894-1700; Facsimile: (213) 894-0081
Attorneys for Petitioner

DECLARATION OF CARLTON F. GUNN

I, Carlton F. Gunn, hereby declare and state:

1. I am a Deputy Federal Public Defender with the Federal Public Defender in the Central District of California. Our office was appointed on August 8, 2008 to represent a detainee for whom a petition had been filed under the name of Hamoud Abdullah Hamoud Hassan Al Wady in Case Number 08-cv-01237. I and Deputy Federal Public Defender Craig Harbaugh are assigned to represent Mr. Al Wady. We have been informed that Mr. Al Wady is the same detainee as Houmad Warzly, and so recently filed a request for appointment and substitution of counsel for Mr. Warzly, which we believe has been approved by the Court.

2. On November 10, 2008, this Court issued an order setting a status conference in this matter on November 25, 2008, at 2:30 p.m. We are filing this motion to request that we be allowed to appear at the status conference telephonically instead of having to appear in person.

3. There are two reasons for our request. First, there are budgetary reasons. If one or both of us must fly to Washington, D.C. for the status conference, it will cost our Federal Public Defender office plane fare and at least one day of per diem. We would like to save our office that expense if possible.

4. A second reason for our request is that I have competing court appearances that would make it difficult for me to appear at the status conference. Specifically, I have two court appearances in Los Angeles on the morning of November 24, 2008 and may have to schedule another half-day meeting with a prosecutor and law enforcement agents on November 26, 2008. While I could theoretically fly to Washington, D.C., on a November 23 overnight flight – or, possibly, on an afternoon flight that would arrive very late at night – and then fly back the next

evening, that would require two five-hour plane flights in the space of a little more than 24 hours, and it would be preferable to avoid such condensed travel. I and Mr. Harbaugh would therefore appreciate it if the Court would allow us to appear telephonically.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: November 14, 2008

/S/
CARLTON F. GUNN
Deputy Federal Public Defender