

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

MOHAMMED NAZIR BIN LEP,

*Petitioner,*

v.

BARACK H. OBAMA, et al.,

*Respondents.*

Civil Action No. 09-0031 (JDB)

**STIPULATION AND ORDER**

WHEREAS Petitioner Bin Lep seeks leave to dismiss his habeas petition voluntarily without prejudice, while ensuring continued access to counsel pursuant to the Protective Order entered in this case, as set forth in this Court's recent Memorandum Opinion and Order in In re: Guantanamo Bay Detainee Continued Access to Counsel, 2012 WL 4039707, No. 12-MC-00398 (RCL) (the "Counsel Access Case") (D.D.C. Sept. 6, 2012) (Dkt Nos. 31 & 32), as amended (Dkt. No. 33); and

WHEREAS Respondents consent to dismissal of this habeas petition without prejudice, and do not object to Petitioner's continued access to counsel on the terms provided below;

IT IS HEREBY STIPULATED AND ORDERED that:

1. Petitioner Mohammed Nazir Bin Lep's (ISN 10022's) petition for a writ of habeas corpus, and this action, are hereby **DISMISSED** without prejudice.

2. The Amended Protective Order for Habeas Cases Involving Top Secret / Sensitive Compartmented Information and Procedures for Counsel Access to Detainees at the United States Naval Base in Guantanamo Bay, Cuba, in Habeas Cases Involving Top Secret / Sensitive Compartmented Information, issued by Judge Hogan on January 9, 2009 in In re: Guantanamo

Bay Detainee Litigation, No. 08-MC-442 (TFH) (D.D.C.) (Dkt. Nos. 1481 and 1496), and entered in this case (Dkt. Nos. 4-1 and 5) on February 18, 2009 (the “Protective Order”), shall remain in effect and continue to govern Petitioner Bin Lep’s access to counsel while he remains confined at Guantanamo Bay and has the right to seek further relief by habeas corpus, whether or not he actually continues to have a petition pending before the Court.

3. This Stipulation and Order is without prejudice to the parties’ rights to seek to set aside, modify, or otherwise obtain relief from any provision herein or of the Protective Order on any ground that could be or could have been raised at any time.

4. The Court shall retain jurisdiction to enforce the terms of this Stipulation and Order.

**SEEN AND AGREED TO:**

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Principal Deputy Assistant Attorney General

JOSEPH H. HUNT  
Director, Federal Programs Branch

TERRY M. HENRY  
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**SO ORDERED.**

Date: April 15, 2013



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JOHN D. BATES  
United States District Judge