

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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	)	
JAMIL EL-BANNA, <i>et al.</i>	)	
	)	
Petitioners,	)	
	)	
v.	)	Civil Action No. 04-CV-1144 (RWR)
	)	
GEORGE W. BUSH,	)	
President of the United States,	)	
<i>et al.</i> ,	)	
	)	
Respondents.	)	
_____	)	

**NOTICE OF TRANSFER OF PETITIONER AND WITHDRAWAL OF REQUEST FOR DESIGNATION OF CERTAIN INFORMATION AS PROTECTED INFORMATION**

Respondents hereby provide notice that petitioner Bisher Al-Rawi (ISN 906) has been transferred to the United Kingdom and released from United States custody.<sup>1</sup>

In the Stipulation and Order filed with the Court under seal on March 27, 2007, the parties agreed that, pursuant to the protective orders entered by the Court’s Orders dated November 8, 2004 (dkt. no. 77) and November 10, 2004 (dkt. no. 80), the Stipulation and Order

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<sup>1</sup> This filing is made without prejudice to the government’s position that this Court lacks jurisdiction over this action in light of Detainee Treatment Act of 2005, Pub. L. No. 109-148, tit. X, 119 Stat. 2680, which, among other things, amends 28 U.S.C. § 2241 to create an exclusive review mechanism in the D.C. Circuit to address the validity of the detention of aliens held by the Department of Defense as enemy combatants at Guantanamo Bay, Cuba, and final decisions of any military commissions, *id.* § 1005(e)(1), (e)(2), (e)(3), or under the Military Commissions Act of 2006, Pub. L. No. 109-366 (2006), which, among other things, amends 28 U.S.C. § 2241 to eliminate district court jurisdiction to consider habeas petitions, as well as any other action “relating to any aspect of the detention, transfer, treatment, trial, or conditions of confinement,” of aliens detained by the United States as enemy combatants, *id.* § 7 That position was upheld in Boumediene v. Bush, 476 F.3d 981 (D.C. Cir. 2007) (dismissing Guantanamo Bay detainees’ habeas corpus cases based on lack of jurisdiction), *cert. denied*, 2007 WL 957363 (April 2, 2007).

would be designated as “Protected Information” pending notice by respondents of completion of the transfer of petitioner to the United Kingdom. Accordingly, the transfer having taken place, respondents hereby withdraw their request to have the Stipulation and Order treated as protected information.

Dated: April 3, 2007

Respectfully submitted,

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