

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

_____)	
SHERIF EL-MASHAD, <i>et al.</i>,)	
)	
Petitioners,)	
)	CASE NO. 05-CV-270
v.)	
)	
GEORGE W. BUSH, <i>et al.</i>,)	
)	
Respondents.)	
_____)	

**PETITIONERS' REQUEST TO HOLD STATUS CONFERENCE
AS PLANNED**

Petitioners Adel Fattouh Aly Ahmed Algazzar ("Algazzar") and Ala Abdel Maqsud Muhammad Salim ("Ala"), a/k/a Alladeen, respectfully request that this Court hold the status conference on January 27, 2006, as initially scheduled.

In their Notice of Changed Circumstances, Withdrawal of Motion, and Supplemental Memorandum ("Notice"), Respondents suggest that their latest filing obviates the need for a status conference. Resp. Not. of Changed Circumstances (filed Jan. 23, 2006; dkt. no. 62). Such a request either springs from Respondents' unfamiliarity with the procedural posture of this case or from Respondents' deliberate attempt to continue shielding Petitioners' continuing and unlawful incarceration from judicial review. Either way, this Court should reject Respondents' suggestion and move forward with the status conference as planned

because there are live disputes before the Court regarding both Petitioner Ala and Petitioner Algazzar.

With respect to Petitioner Ala, who was declared by Respondents to be “no longer an enemy combatant” (“NLEC”), Respondents’ Notice violates this Court’s ruling that indefinite detention of NLECs is illegal. Memorandum, *Qassim v. Bush*, Civ. No. 05-0497 (D.D.C. Dec. 22, 2005).

With respect to Petitioner Algazzar, who Respondents have long sought to render, the Notice raises the question whether Respondents have unchecked power to indefinitely detain Algazzar, arrange for his rendition, renege on representations they have made to this Court, and reserve the right to renew plans for his rendition at Respondents’ convenience.

Respondents previously have requested this Court’s permission to immediately render both Petitioners to Egypt. At the time of these requests, Respondents knew, but neglected to inform this Court that both Petitioners have allegedly been convicted in absentia in Egypt for political crimes. Respondents also knew, but did not disclose to this Court, that Petitioner Ala had repeatedly been arbitrarily imprisoned and tortured by Egyptian authorities while living in Egypt. Since Petitioners made these facts known to the Court last week, Respondents have suddenly changed their mind about rendering either Ala or Algazzar, and have taken the position that neither this Court nor Petitioners are

entitled to any information leading to this reversal. Such volleying with Petitioners' rights cannot escape judicial review.

For these reasons, Petitioners request that this Court move forward with a status conference in this case on January 27, 2006 as planned.

Dated: January 24, 2006 Respectfully submitted,

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