

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

	)	
	)	Civil Action Nos.
	)	02-CV-0299 (CKK), 02-CV-0828 (CKK),
	)	02-CV-1130 (CKK), 04-CV-1135 (ESH),
	)	04-CV-1136 (JDB), 04-CV-1137 (RMC),
<b><i>In re Guantanamo Detainee Cases</i></b>	)	04-CV-1144 (RWR), 04-CV-1164 (RBW),
	)	04-CV-1194 (HHK), 04-CV-1227 (RBW),
	)	04-CV-1254 (HHK)
	)	
	)	<b>JOYCE HENS GREEN</b>
	)	United States District Judge
	)	<i>Managing Judge</i>
	)	

**MOTION FOR RECONSIDERATION OR CLARIFICATION OF ORDER**

(1) Amicus Charles B. Gittings Jr. respectfully requests reconsideration of the Court’s *Order Clarifying December 8, 2004 Order Granting Motion for Leave to File as Amicus Curiae*, CA No. 02-CV-0299 dkt. no. 149 (1/3/2005)(JHG), in regard to that part of the order which orders “that Mr. Gittings shall make no further filings in these cases,” or in the alternative, requests a further clarification as to the Court’s reasons for that part of the order and an opportunity to satisfy the Court’s concerns.

(2) Amicus does not dispute the clarification stated by the order. That was my assumption up to the point where the brief was docketed as a cross-motion for summary judgement and the respondents filed their opposition brief, at which point I believed a reply was permissible under the applicable rules. Had the clarification been explicitly stated at the outset, Amicus doubts that Respondents would have filed an opposition brief, and I

would surely not have filed a reply in any case. As it was, I considered not making a reply but felt it was necessary under the circumstances.

(3) Neither does Amicus dispute the finding of the order's second paragraph, which in my view is in accord with the pleadings on both sides.

(4) Amicus does not wish to speculate on the reasons for the final part of the order but nevertheless feels compelled to affirm most sincerely that nothing in my reply brief was motivated by any feeling of disrespect for this Honorable Court.

(5) When the order was issued Amicus was in fact preparing a further action, but only to ask leave to file a second amicus brief in the new cases. At the point where the order was issued, I had contacted counsel for petitioners, receiving consent from two and a tentative expression of interest from a third. Upon receiving the order, I promptly informed counsel for petitioners that under the circumstances I would not be able to proceed.

(6) It remains that Amicus believes that he has more to say on the issues which might not be said if it was left strictly to the parties, and hence, I may wish to apply for leave to file further amicus briefs as these cases proceed on the merits. Amicus therefore respectfully requests the Court to vacate the last sentence of the 1/3/2005 order, or in the alternative, afford Amicus the opportunity to address the Court's specific concerns.

DATED: February 8, 2005

Respectfully submitted,

/ s /

CHARLES B. GITTINGS JR.,

*pro se*

453 Totem Pole Road

Manson, WA 98831

SSN: XXX-XX-3461

[cbgittings@yahoo.com](mailto:cbgittings@yahoo.com)

(509) 682-2844