

Cleared by CSO for public filing 11/14/2006.

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

SAIFULLAH PARACHA,
Detainee,
Guantanamo Bay Naval Station,
Guantanamo Bay, Cuba,

Petitioner,

v.

Civil Action 04cv02022-PLF

Hon . GEORGE W. BUSH
1600 Pennsylvania Avenue NW,
Washington, D.C. 20500,

Hon. DONALD H. RUMSFELD
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000,

and

Brigadier General JAY HOOD,
Commander, Joint Task Force-GTMO,
Guantanamo Bay Naval Station
Guantanamo, Cuba

Respondents.

**(PROPOSED) TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE**

This Court having considered petitioner's motion or application for a temporary restraining order and it appearing that:

Respondents have been given actual notice of petitioner's motion or application;

Petitioner will suffer irreparable harm and possibly even death if respondents are not temporarily restrained from going forward with a plan to subject petitioner to cardiac catheterization in an inadequate facility, whereas respondents will suffer no harm from being temporarily restrained;

The public interest requires that petitioner be protected from death or irreparable harm and that the jurisdiction of this Court not be compromised thereby;

Petitioner has petitioned this Court for the writ of habeas corpus to inquire into the legitimacy of his detention, and under *Rasul v. Bush*, 542 U.S. 466, 124 S. Ct. 2686, 159 L. Ed. 2d 548 (2004) and *Hamdan v. Rumsfeld*, 126 S. Ct. 2749 (No. 05-184, June 29, 2006) this Court has jurisdiction at least to preserve petitioner from irreparable harm pending the determination whether the writ of habeas corpus has been suspended;

WHEREFORE, IT IS HEREBY ORDERED that:

A. Respondents and all acting in concert with them and all having notice of this Order are forbidden and enjoined from subjecting petitioner SAIFULLAH PARACHA to cardiac catheterization at any facility without the express approval of his wife FARHAT PARACHA, or of one of his attorneys GAILLARD HUNT or ZACHARY KATZNELSON.

B. Petitioner is hereby excused from posting security for costs.

AND IT IS FURTHER ORDERED THAT

C. Respondents will show cause on or before November _____, 2006, why this order should not be extended till the final disposition of this case or till further order of this Court.

This order is signed on November _____, 2006, at _____ o'clock, and will expire ten days from its signing.

U.S.D.J.

Notice to:

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