

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

)	
MOHAMEDOU OULD SALAHI)	
)	
Petitioner/Plaintiff,)	
)	
v.)	Civil Action No. 1:05-0569 (RCL)
)	
BARACK OBAMA, et al.,)	
)	
Respondents/Defendants.)	
)	

**FACTUAL SUPPLEMENT TO PETITIONER’S
MOTION FOR ORDER TO SHOW CAUSE**

On June 10, 2015, Petitioner Mohamedou Ould Slahi moved this Court for an order to show cause why an order should not issue requiring the Defense Department to (1) promptly provide him a required hearing before a Periodic Review Board; (2) cease interfering with his access to this habeas Court; and (3) cease imposing arbitrary and severe restrictions on his conditions of confinement.

In that motion, Mr. Slahi’s counsel noted they could not confirm whether the Defense Department had ceased interfering with his access to this Court, and the parties disputed the issue. *See* Dkt. 453 at 1 n.2, 3, 5, 21. Subsequent to that filing, one of Mr. Slahi’s counsel visited him at Guantánamo, and can now confirm to the Court that the Defense Department continues to deprive Mr. Slahi of his legal materials, and that its harsh restrictions on his confinement conditions also continue. *See* Declaration of Theresa M. Duncan, dated June 29, 2015 (“Duncan Dec.”), filed herewith.¹

¹ Respondents do not object to the filing of this supplement to Petitioner’s motion.

The dispute between the parties arose from a representation by the Defense Department, conveyed to Mr. Slahi's counsel through the Justice Department, that it had returned all of Mr. Slahi's legal materials. Duncan Dec. ¶ 6 and Exhibit A.² Mr. Slahi's counsel questioned the accuracy of that representation and could not verify it. *Id.* ¶ 6. On June 23-24, 2015, Ms. Duncan visited Mr. Slahi and found that "[t]he only materials returned to him are three envelopes containing government exhibits from Mr. Slahi's original habeas proceedings. The vast majority of Mr. Slahi's legal papers—including correspondence from counsel, pleadings, other exhibits from the habeas proceeding and Mr. Slahi's notes—have not been returned." *Id.* ¶ 7. Therefore, contrary to the Defense Department's representation, Mr. Slahi's jailors have not stopped interfering with his access to this Court.

In addition, Mr. Slahi's counsel can confirm that the Defense Department is still arbitrarily and severely restricting his conditions of confinement, including depriving him of previously-cleared photographs, family correspondence, important mementos from prison guards, and the stand-alone computer he used to keep his mind active and help recover from torture. Duncan Dec. ¶¶ 9-12 (updating the continued restrictions and their resulting on-going harm to Mr. Slahi). The Guantánamo prison administration has not even returned to Mr. Slahi letters he received from his mother—let alone explained why they were taken. In his best-selling book *Guantánamo Diary*, Mr. Slahi describes how much it means to him to have a letter from his mother:

I couldn't believe that after all I had been through I was holding a letter from my mom. I smelled the odor of a letter that had touched the hand of my mom and other members of my beloved family. The emotions in my heart were mixed: I didn't know what to do, laugh or cry. I ultimately ended up doing both. I kept reading the short message over and over.

² On the basis of that representation, Respondents' counsel opposed Mr. Slahi's request for relief on this issue as premature and unnecessary. Dkt. 453 at 1 n.2.

Mohamedou Ould Slahi, *Guantánamo Diary*, 343 (Little, Brown and Company, 2015). Mr. Slahi's mother died in March 2013, during his 11th year of unlawful detention at Guantánamo. Duncan Dec. ¶ 9. Because the Defense Department has confiscated his mother's letters, Mr. Slahi is no longer able to hold them or remember her by reading them "over and over."

Neither the Defense Department's continuing interference with Petitioner's access to his legal materials, nor its new and unexplained harsh restrictions on a man the U.S. government brutally abused and has wrongly locked away from family and friends for thirteen years, can be justified. Petitioner's motion for an order to show cause should be granted.

Dated: June 30, 2015

Respectfully submitted,

/s/ Hina Shamsi

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