

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ABD AL HAKIM GHALIB AHMAD  
ALHAG

*Petitioner/Plaintiff,*

v.

BARACK H. OBAMA, *et al.*

*Respondents/Defendants.*

Case No. 05-CV-2199 (RCL)

**STIPULATED MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE  
AND FOR CONTINUED COUNSEL ACCESS  
PURSUANT TO THE PROTECTIVE ORDER**

The parties respectfully stipulate and move for an order granting Petitioner Alhag leave to withdraw his habeas petition voluntarily without prejudice and ensuring him continued access to counsel pursuant to the Protective Order, as set forth in this Court's recent Memorandum Opinion and Order in *In re: Guantanamo Bay Detainee Continued Access to Counsel*, No. 1:12-mc-00398 (RCL) (the "Counsel Access Case") (D.D.C. Sept. 6, 2012) (12-MC-398 Dkt Nos. 31 & 32), as amended (Dkt. No. 33).

In the proposed stipulated order, the parties agree that: 1) Petitioner Alhag's petition may be dismissed without prejudice; 2) the Protective Order, issued by Judge Hogan on September 11, 2008, in *In re: Guantanamo Bay Detainee Litigation*, No. 08-MC-442 (TFH) (D.D.C.) (08-MC-442 Dkt. No. 235), and entered in this case (Dkt. No. 73) on the same date (the "Protective Order"), shall remain in effect and continue to govern Petitioner Alhag's access to counsel while he remains confined at Guantanamo Bay and has the right to seek further relief by habeas corpus, whether or not he actually continues to have a petition pending before the Court; 3) the Stipulation and Order is without prejudice to the parties' rights to seek to set aside,

modify, or otherwise obtain relief from any provision herein or of the Protective Order on any ground that could be or could have been raised at any time; and 4) the Court shall retain jurisdiction to enforce the terms of the Stipulation and Order.

Dated: January 29, 2013

Respectfully submitted,

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**[PROPOSED] STIPULATION AND ORDER**

Upon consideration of the Stipulated Motion for Voluntary Dismissal Without Prejudice and for Continued Counsel Access Pursuant To the Protective Order, It is hereby **STIPULATED AND ORDERED** that:

1. Petitioner Abd al Hakim Ghalib Ahmad Alhag's (ISN 686's) Petition for a Writ of Habeas Corpus, and this action, are hereby **DISMISSED** without prejudice.

2. The Protective Order and Procedures for Counsel Access to Detainees at the United States Naval Base in Guantanamo Bay, issued by Judge Hogan on September 11, 2008, in *In re: Guantanamo Bay Detainee Litigation*, No. 08-MC-442 (TFH) (D.D.C.) (08-MC-0442 Dkt. No. 235), and entered in this case (Dkt. No. 73) on that date (the "Protective Order"), shall remain in effect and continue to govern Petitioner Alhag's access to counsel while he remains confined at Guantanamo Bay and has the right to seek further relief by habeas corpus, whether or not he actually continues to have a petition pending before the Court.

3. This Stipulation and Order is without prejudice to the parties' rights to seek to set aside, modify, or otherwise obtain relief from any provision herein or of the Protective Order on any ground that could be or could have been raised at any time.

4. The Court shall retain jurisdiction to enforce the terms of this Stipulation and Order.

**SO ORDERED.**

Signed by Royce C. Lamberth, Chief Judge, on January \_\_\_\_, 2013.

CERTIFICATE OF SERVICE

I certify that on January 29, 2013, I filed the foregoing document via ECF with the understanding that the ECF system would automatically serve counsel for respondents.

/John C. Snodgrass/