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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) PRELIMINARY INJUNCTION

This Court, having considered petitioner's motion for a preliminary injunction and respondents' response thereto, hereby finds that:

1. Petitioner SAIFULLAH PARACHA is detained at the United States Naval Base at Guantanamo Bay, Cuba.

2. Petitioner has petitioned this Court for the writ of habeas corpus to inquire into the legitimacy of his detention.

3. The Supreme Court held in *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) that habeas corpus jurisdiction for prisoners held at Guantanamo Bay lies in this Court, the U.S. District Court for the District of Columbia.

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

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

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, during the pendency of this case, until otherwise ordered by this Court.

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

This order is signed on November _____, 2006, at _____ o'clock, at
Washington, D.C.,

U.S.D.J.

Notice to:

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