

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SAIFULLAH PARACHA,)	
)	
)	
Petitioner,)	
)	Civil Action No. 04-2022 (PLF)
v.)	
)	
BARACK H. OBAMA, <u>et al.</u> ,)	
)	
Respondents.)	

MEMORANDUM OPINION AND ORDER

This matter is before the Court on petitioner Saifullah Paracha’s unopposed motion for leave to proceed in forma pauperis for the purpose of appealing the Court’s Memorandum Opinion and Order. See Paracha v. Obama, --- F. Supp. 3d ---, 2016 WL 3365369 (D.D.C. June 16, 2016), judgment entered, 2016 WL 4074124 (D.D.C. July 29, 2016). The motion is proper for the Court to decide in the first instance, FED. R. APP. P. 24(a)(1), and the court of appeals has stayed the appeal pending the Court’s decision on the motion. See Order, No. 16-5248 (D.C. Cir. Sept. 28, 2016).

Petitioner requests that the Court decide the motion based on exhibits and affidavits previously filed in this case. Petitioner’s Motion for Leave to Appeal In Forma Pauperis (“Motion for Leave”) [Dkt. 449] at 3. These documents include four previous in forma pauperis applications and their accompanying documentation. See Application to Appeal In Forma Pauperis (Oct. 6, 2006) [Dkt. 118]; Application to Appeal In Forma Pauperis (Aug. 16, 2005) [Dkt. 66]; Application to Appeal In Forma Pauperis (May 19, 2005) [Dkt. 56]; Application

to Appeal In Forma Pauperis (Mar. 17, 2005) [Dkt. 48]. The United States has continuously held petitioner at Guantanamo Bay since his four previous in forma pauperis applications were filed, and he has had no opportunity to improve his financial situation. Counsel for petitioner notes the difficulty in communicating with Guantanamo detainees and obtaining affidavits from them. Motion for Leave at 3. This representation is consistent with the Court's experience. For these reasons, the Court will not require an updated affidavit.

Upon consideration of petitioner's current motion and previous representations and affidavits regarding his financial status, the Court is satisfied that he meets the requirements under Rule 24(a)(1) of the Federal Rules of Appellate Procedure and 28 U.S.C. § 1915(a)(1). Accordingly, it is hereby

ORDERED that petitioner's unopposed motion for leave to proceed in forma pauperis [Dkt. 449] is GRANTED; it is

FURTHER ORDERED that the petitioner shall be permitted to proceed in forma pauperis; and it is

FURTHER ORDERED that the clerk of the court shall transmit a copy of this Order to the court of appeals.

SO ORDERED.

/s/ _____
PAUL L. FRIEDMAN
United States District Judge

DATE: October 7, 2016