

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

<p>MOHAMEDOU OULD SALAHI</p> <p style="text-align: center;">Petitioner/Plaintiff,</p> <p style="text-align: center;">v.</p> <p>BARACK OBAMA, et al.,</p> <p style="text-align: center;">Respondents/Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil Action No. 1:05-0569 (RCL)</p>
---	--	--

DECLARATION OF THERESA M. DUNCAN, ESQ.

I, Theresa M. Duncan, declare as follows:

1. I am a citizen of the United States. I am over eighteen years old and I am prepared to testify to the facts and opinions stated herein, if called upon to do so.

2. I am an attorney licensed to practice law in the state of New Mexico. I am counsel for Mohamedou Ould Slahi (ISN 760), who has been imprisoned at Guantánamo Naval Base, Cuba, since August 2002.

3. I provide this declaration in support of Mr. Slahi’s order to show cause requiring the Department of Defense (1) to provide him a required hearing before a Periodic Review Board (PRB); (2) to cease interfering with his access to this habeas Court; and (3) to cease imposing arbitrary and severe restrictions on his conditions of confinement.

4. This declaration is based on my visit with Mr. Slahi last week, and updates the factual submissions made to the Court on June 10, 2015.

5. Approximately six months ago, the Guantánamo prison administration deprived Mr. Slahi of numerous personal items he had been permitted to have in his cell for many years, including legal documents, a stand-alone computer, family correspondence and photographs, and gifts that departing prison guards had given him out of friendship. No reason was provided to Mr. Slahi or to counsel to explain why any of these items were taken from him.

6. On May 4, 2015, in response to an email inquiry I sent to Department of Justice lawyers, I was told that Mr. Slahi's legal materials had been returned to him. A copy of that correspondence is attached hereto as Exhibit A. At that time, my co-counsel and I were unable to confirm with Mr. Slahi whether that was truly the case.

7. On June 23-24, 2015, I met with Mr. Slahi at Guantánamo. During that meeting I was able to review the legal documents that prison officials had returned to him. The 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.

8. I met with Guantánamo officials concerning Mr. Slahi's legal materials, and they could not tell me when—or even whether—the rest of those materials would be returned.

9. In addition, the Guantánamo prison administration has returned some, but not all, of Mr. Slahi's photographs. They also have not returned family correspondence, including letters from Mr. Slahi's mother. Mr. Slahi was very close to his mother, who died in March 2013, during Mr. Slahi's 11th year of detention at Guantánamo.

10. Prison officials have returned one book that previous guards dedicated to Mr. Slahi, but have not returned other signed books or hats that guards signed and left for him as mementos. They also have not returned books that Mr. Slahi's attorneys had sent to him over the years.

11. Finally, prison officials have not returned the stand-alone computer that Mr. Slahi had for several years.

12. These deprivations, including the stand-alone computer that Mr. Slahi used to keep his mind active, continue to cause him harm.

I declare under penalty of perjury, pursuant to the laws of the United States, that the foregoing is true and correct and that this declaration was executed on June 29, 2015, at South Londonderry, Vermont.

/s/ Theresa M. Duncan
Theresa M. Duncan