



March 3, 2009

Honorable William K. Suter  
Clerk  
Supreme Court of the United States  
Washington, DC 20543

RE: *Al-Marri v. Spagone* (No. 08-368)

Dear Mr. Suter:

I write to advise the Court that the Petitioner in the above action takes no position on the government's Application Respecting the Custody and Transfer of Petitioner Ali Saleh Kahlah Al-Marri (08A755).

Please distribute this letter to the Members of the Court. Thank you.

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Respectfully submitted,

Jonathan Hafetz  
*Counsel of Record for Petitioner*