

AO450 - Judgment in a Civil Case

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Jose Padilla,

JUDGMENT IN A CIVIL CASE

Petitioner

Case Number: 2:04-2221-26AJ

vs.

Commander C. T. Hanft,
U.S.N. Commander, Consolidated
Naval Brig,

Respondent

Decision by Court. This action came to hearing before the Court, the Honorable Henry F. Floyd, United States District Judge, presiding. The court having granted the petitioner's motion for summary judgment as to Counts One and Two in his Petition for Writ of Habeas Corpus which was filed pursuant to 28 United States Code, Section 2241.

IT IS ORDERED AND ADJUDGED that Summary Judgment is entered for Jose Padilla, the petitioner, as to Counts One and Two in his Habeas Corpus Petition; Counts Three and Four are moot.

IT IS FURTHER ORDERED AND ADJUDGED that the respondent release the petitioner from custody within forty-five (45) days of the Court's order, document number 48, which was entered on February 28, 2005.

LARRY W. PROPES, Clerk

By s/Susan K. Sanders
Deputy Clerk

March 4, 2005