

RELEASE IN PART
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From: Mills, Cheryl D <MillsCD@state.gov>
Sent: Tuesday, July 26, 2011 9:20 AM
To: H
Subject: FW: July 26 Update on [REDACTED]

FYI on this case

From: Lopatkiewicz, Viktoria
Sent: Tuesday, July 26, 2011 8:40 AM
To: Mills, Cheryl D
Cc: Toiv, Nora F; Bernier-Toth, Michelle; Rodriguez, Hugo F; CA-OCS-Special Assistant; Benning, Douglass R; CA-Staffers Mailbox; Pettit, James D; Kirby, Michael D; Jacobs, Janice L; Perry, Elizabeth L; Hatcher, Stuart M; Richter, Kim B; Kazi, Pamela R; CypherBurley, Tricia B
Subject: July 26 Update on [REDACTED]

Embassy Cairo has provided the following readout of their July 25 consular visit to [REDACTED]

On the morning of July 25 the CG met with [REDACTED] at the office of the federal prosecutor. The federal prosecutor, his note taker, an interpreter, and an associate from Dr. Nadoury's office were present at the meeting.

[REDACTED] arrived at the office approx. 10 minutes following the CG's arrival. He wore a grey striped shirt and light beige khaki slacks. Although the CG met [REDACTED] for the first time, he appeared dejected and lacking in energy. Engaging [REDACTED] in conversation was a challenge, for he initially had little desire to talk. The CG attempted to get him to talk about his studies at Emory, his family and friends, or how he spends the day. When asked whether he was getting adequate food, [REDACTED] stated that this was of no importance to him. He has little or no appetite, and only eats because he has been told that he will be punished if he fails to do so. [REDACTED] was given a copy of last Friday's Al Aharam newspaper (the second such time that a newspaper has been provided to him) and he spends part of his day reading the paper. On occasion, he will ask one of his guards clarification on a term or expression found in the press. On occasion, a guard will respond, but their exchanges with him are very limited.

At one point during the nearly hour-long visit, [REDACTED] asked whether there is any doubt on the UG's part that he is not a spy. He also asked whether anyone in the USG is doing anything to help him get released. The CG responded that his case and circumstances have the attention of senior levels at the USG, and that many are working on his behalf. He further asked "what is a spy?," "what are the elements of the crime" and "how can I defend myself if I don't know the charges being brought against me". The CG urged [REDACTED] to raise these issues with his legal counsel on his next visit. [REDACTED] stated several times that "I don't know what I did," and stated that he had already admitted to having falsely stated that he was a Muslim and admitted to praying at one of the mosques.

[REDACTED] stated that he has only rarely seen his lawyer and has had little exchange with him. The CG stated that he would share this impression with the lawyer and ask that he make a greater effort to see his client and be responsive to some of the concerns raised. He further stated that the lawyer himself has to get authorization in order to have access, and that the Embassy had assisted in making these requests. [REDACTED] stated that his lawyer failed to show up for a meeting on July 9 as well as a meeting this past Thursday. He had been informed by the federal prosecutor of both opportunities for a meeting.

(Note: It is worth noting that [REDACTED] lawyer was present at the July 21 hearing addressing whether his detention would be extended. For some reason [REDACTED] had understood that his lawyer would meet with him later the same day at the Prosecutor's office.)

[] stated that he had spent "3 hours" in the back of a van on July 21 prior to arriving at the hearing. He stated that he was handcuffed and blinded the entire time.

Before departing the Prosecutor's Office, the CG was allowed to telephone [] mother and to pass the phone to him so that he could speak with her. The conversation lasted 13 minutes.

When asked whether the Prosecutor's Office would allow [] to receive correspondence or birthday cards from friends and family, the Prosecutor stated that he had no objection to this. He also answered that he had no objection to [] receiving a small food basket of American food items that he might be longing for. The CG informed the Prosecutor that the Embassy might bring along such items in the future and request that they be passed on to []. On the July 25 visit, the CG brought 10 books for [] including a work by Evelyn Waugh, Amitav Ghosh, Ken Follett, and Mary Renault. The books were items borrowed from the CLO Library or books donated by Embassy officers.

[] was informed that his mother would be sending some additional reading material for him through Embassy channels. When asked whether there was anything in particular that he might wish to have, [] stated that an Arabic-English dictionary and a Calculus book would be nice.

Note: Dr. Nadoury telephoned the CG on July 25 to inform him that his office would be appealing the decision to extend [] detention for an additional 45 days. A date for the hearing of this appeal is likely to be fixed in 2-3 days. The appeal will be heard before the High Court of Appeals. Dr. Nadoury further stated that he hopes to visit [] at the end of the week (most likely Saturday). He further stated that he would discourage [] from traveling to Egypt before the end of Ramadan (presumably this is a query that [] raised with him directly or through [] the American attorney in this matter).

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