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**FOR IMMEDIATE RELEASE**

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**Padilla Defense Counsel Comments on Indictment**

*Jonathan M. Freiman of Wiggin and Dana Calls on Supreme Court to Hear  
“Loaded Gun” Petition*

**NEW HAVEN, Conn.** – The United States Attorney General today announced it will indict Jose Padilla after more than three years of incommunicado detention without charge in a military prison.

“We are thrilled that Mr. Padilla will be released from military custody and returned to the civilian criminal justice system that has served our nation for more than two hundred years,” said Jonathan M. Freiman, a member of the Padilla defense team and counsel with the law firm Wiggin and Dana LLP.

Freiman, who argued on behalf of Mr. Padilla during the district court phase in South Carolina, said the government’s announcement still leaves open the question of its power to indefinitely detain civilian citizens. Padilla’s defense team has petitioned the Supreme Court to weigh in on the issue with a review of the Fourth Circuit ruling in the Padilla case.

“With things as they stand, the Fourth Circuit decision is, to paraphrase Justice Jackson, a loaded weapon sitting on the kitchen table. It’s waiting to be used. The Supreme Court needs to decide whether the gun should be there. Without review, the decision effectively grants the government powers to seize a citizen anywhere in the nation, move him to a secret military jail cell in South Carolina, and detain him there without charge, possibly even without access to lawyers, for as long as it takes for a habeas petition to wind its way up through the courts.”

Added Freiman, “The nation deserves better. It deserves the Supreme Court’s careful consideration of this issue, which is one of the most important issues of our time.”

Mr. Freiman is available for interviews. More information on the case and his firm’s involvement can be found at [www.padillawd.com](http://www.padillawd.com).

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