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The Supreme Court has refused to hear any new Guantánamo appeals even though half of the men being held were cleared for release five years ago. Critics of Monday's decision say it leaves the fate of prisoners — many of them long cleared for release — in the hands of a conservative D.C. Circuit Court of Appeals, which has constantly sided with military prosecutors and refused to order the release of any prisoner. The high court also refused to reinstate a lawsuit by former "enemy combatant" José Padilla against former Secretary of Defense Donald Rumsfeld. We're joined by two guests: Shayana Kadidal, senior managing attorney of the Guantánamo Global Justice Initiative at the Center for Constitutional Rights, and investigative journalist Andy Worthington, who reports that of the 169 prisoners still held, over half — 87 in total — were cleared for release by President Obama's Guantánamo Review Task Force. "In a lot of practical ways [the Supreme Court decision] marks the end of the Guantánamo litigation that began more than 10 years ago. ... Detainees have won about two-thirds of their challenges in the trial courts, but the D.C. Circuit ... has overturned every single one of those cases that's been appealed to it. And in doing so, it's created standards that make it virtually impossible to win a case." [includes rush transcript]

Guests:

[Shayana Kadidal](#) , senior managing attorney of the Guantánamo Global Justice Initiative at the Center for Constitutional Rights.

[Andy Worthington](#) , U.K.-based journalist whose latest report is "Guantánamo Scandal: The 40 Prisoners Still Held But Cleared for Release At Least Five Years Ago." He is author of the book, *The Guantánamo Files: The Stories of the 774 Detainees in America's Illegal Prison* , and is co-director of the film, *Outside the Law: Stories from Guantánamo* .