

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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| <u>RUZATULLAH, et al.</u> | : | |
| | : | |
| Petitioners, | : | |
| | : | |
| v. | : | Civil Action No. |
| | : | 06-1707 (GK) |
| ROBERT GATES, _____ | : | |
| Secretary, United States | : | |
| Department of Defense, <u>et al.</u> , | : | |
| | : | |
| Respondents. | : | |
| | : | |

ORDER

This matter is before the Court on Respondents' Motion to Dismiss Second Amended Petition for Lack of Jurisdiction [Dkt. No. 15].

On June 29, 2007, the Supreme Court granted certiorari to review the merits of our Court of Appeals' decision in Boumediene v. Bush, 476 F.3d 981 (D.C. Cir. 2007). Accordingly, it is hereby

ORDERED that Respondents' Motion to Dismiss Second Amended Petition for Lack of Jurisdiction [Dkt. No. 15] is **denied without prejudice** until the Supreme Court has ruled definitively on the issue of this District Court's jurisdiction.

September 13, 2007

/s/
Gladys Kessler
United States District Judge

Copies to: Attorneys of Record via ECF