

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-5200

September Term 2009

1:05-cv-01347-GK

Filed On: June 25, 2010

Farhi Saeed Bin Mohammed, Detainee,
Guantanamo Bay Naval Station and Moazzam
Begg, as next friend of Farhi Saeed bin
Mohammed,

Appellees

v.

Barack Obama, et al.,

Appellants

BEFORE: Tatel, Griffith, and Kavanaugh, Circuit Judges

ORDER

Upon consideration of the emergency motion for expedited summary reversal, the oppositions thereto, and the replies, it is

ORDERED, pursuant to this court's authority under the All Writs Act, 28 U.S.C. § 1651, that the district court resolve all outstanding motions in this case by Tuesday, June 29, at 4:00 p.m., in a manner consistent with Munaf v. Geren, 553 U.S. 674 (2008), and Kiyemba v. Obama, 561 F.3d 509 (D.C. Cir. 2009) (Kiyemba II). The district court is ordered to do so without requiring further testimony from Special Envoy Fried or any other United States government official. This order does not preclude the parties from voluntarily submitting further briefing or evidence to the district court regarding petitioner's claimed fear of private individuals or private groups in Algeria, which petitioner contends (but the government disputes) distinguishes this case from the binding precedents of Munaf and Kiyemba II. This court states no view at this time on how Munaf and Kiyemba II apply to petitioner's allegation.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Tara Glover
Deputy Clerk