

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

AMENDED ORDER

It is **ORDERED**, on the court's own motion, that the order entered this day be amended to read as follows:

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 must resolve the motions in an order from which a party can take an immediate appeal. 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/
Cheri Carter
Deputy Clerk