

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 08-5424**

**September Term, 2008**

FILED ON: FEBRUARY 18, 2009

JAMAL KIYEMBA, NEXT FRIEND, ET AL.,  
APPELLEES

v.

BARACK H. OBAMA, PRESIDENT OF THE UNITED STATES, ET AL.,  
APPELLANTS

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Consolidated with 08-5425, 08-5426, 08-5427, 08-5428, 08-5429

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Appeals from the United States District Court  
for the District of Columbia  
(No. 1:08-mc-00442)

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Before: HENDERSON and ROGERS, *Circuit Judges*, and RANDOLPH, *Senior Circuit Judge*

**J U D G M E N T**

These causes came on to be heard on the record on appeal from the United States District Court for the District of Columbia and were argued by counsel. On consideration thereof, it is

**ORDERED** and **ADJUDGED** that the judgment of the District Court appealed from in these causes is hereby reversed and the cases are remanded for further proceedings, in accordance with the opinion of the court filed herein this date.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail  
Deputy Clerk

Date: February 18, 2009

Opinion for the court filed by Senior Circuit Judge Randolph.  
Opinion concurring in the judgment filed by Circuit Judge Rogers.