

08-1234 KIYEMBA V. OBAMA

DECISION BELOW:581 F. Supp.2d 33

LOWER COURT CASE NUMBER: 08-5424

QUESTIONS PRESENTED:

Whether a federal court exercising its habeas jurisdiction, as confirmed by *Boumediene v. Bush*, 553 U.S. ___, 128 S. Ct. 2229 (2008), has no power to order the release of prisoners held by the Executive for seven years, where the Executive detention is indefinite and without authorization in law, and release into the continental United States is the only possible effective remedy.

CERT. GRANTED 10/20/2009