

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 05-8003**

**September Term, 2004**

02cv1130

02cv0299

02cv0828

04cv1227

04cv1254

04cv1135

04cv1136

04cv1137

04cv1144

04cv1164

04cv1194

In re: Guantanamo Detainee Cases,

**05-5064**

**02cv00828**

**Filed On: March 10, 2005** [883416]

Khaled A. F. Al Odah, Next Friend of Fawzi Khalid  
Abdullah Fahad Al Odah, et al.,  
Appellants

v.

United States of America, et al.,  
Appellees

**BEFORE:** Sentelle, Garland, and Roberts, Circuit Judges

## **ORDER**

Upon consideration of the petition for interlocutory appeal pursuant to 28 U.S.C. § 1292(b) and motion to expedite appeal filed in No. 05-8003, the joint answer and cross-petition, and the reply, it is

**ORDERED** that the petition and cross-petition be granted. See 28 U.S.C. § 1292(b). Approval of the petition and cross-petition is without prejudice to reconsideration by the merits panel to which this appeal is assigned. It is

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**FURTHER ORDERED** that the motion to expedite be granted and that the following briefing schedule and format apply:

Joint Opening Brief for Appellants (not to exceed 14,000 words)	----	April 13, 2005
Joint Appendix	----	April 13, 2005
Joint Brief for Appellees/Cross-Appellants (not to exceed 14,000 words)	----	May 13, 2005
Joint Answering and Reply Brief for Appellants/Cross-Appellees (not to exceed 14,000 words)	----	June 13, 2005
Reply Brief for Cross-Appellants (not to exceed 7,000 words)	----	June 28, 2005

Any amici curiae are to file their briefs on the same date as the party they support, and aligned amici must file jointly to the extent possible. See D.C. Cir. Rule 29(d).

The Clerk is directed to schedule this case, which will be assigned a general docket number upon payment of the docketing and filing fees, for oral argument on the first appropriate date after the conclusion of briefing and on the same day, and before the same panel, as No. 05-5062, et al., Boumediene v. Bush.

The Clerk is directed to transmit a certified copy of this order to the district court. With respect to the petition and cross-petition for interlocutory review in No. 05-8003, the district court is directed to file two copies of the order as separate notices of appeal pursuant to Fed. R. App. P. 5 and to collect the mandatory docketing and filing fees from counsel. Upon payment of the fees, the district court is to certify and transmit the preliminary record to this court, after which the cases will be assigned general docket numbers and consolidated with one another. After those general docket numbers have been assigned, No. 05-5064 will be consolidated with those consolidated cases. The parties in all three cases will be required to comply with the briefing schedule and format established by this order.

**Per Curiam**

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