

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IBRAHIM AHMED MAHMOUD AL QOSI,)
)
Plaintiff,)
)
v.) Civil Action No. 04-1937 (PLF)
)
GEORGE W. BUSH, President of the)
United States, et al.,)
Defendants.)

ORDER

The issues presented by this petition for writ of mandamus appear to be the same or largely the same issues recently resolved by Judge Robertson in Hamdan v. Rumsfeld, 2004 U.S. Dist. LEXIS 22724 (memorandum opinion) (Nov. 8, 2004) (Civil Action No. 04-1519). On November 12, 2004, the government noted an appeal from Judge Robertson's decision. See Hamdan v. Rumsfeld (D.C. Cir. filed Nov. 16, 2004) (Ct. App. Docket No. 05-5393). The press has reported that the government has suspended its system for the trial of individuals like Hamdan and the petitioner in this case by military commissions at the United States Naval Station at Guantanamo Bay. In the interest of conserving judicial resources, it would seem to the undersigned that it makes little sense to attempt to resolve the issues presented by this petition until after the court of appeals has decided the appeal in the Hamdan case, so long as the petitioner is not subjected to trial before a military commission in Guantanamo until after the appeal in Hamdan is finally resolved.

Accordingly, the parties are directed to confer and, if possible, agree upon the language of a stipulation that would hold this case in abeyance pending a decision on appeal in the Hamdan case. If a stipulation is agreed upon, it is hereby

ORDERED that said stipulation be filed with the Court on or before December 6, 2004. In the absence of a joint stipulation being filed with the Court for its approval, counsel are directed to appear for a status conference at 9:30 a.m. on December 13, 2004.

SO ORDERED.

/s/ _____
PAUL L. FRIEDMAN
United States District Judge

DATE: November 18, 2004

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