

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF COLUMBIA

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ISA ALI ABDULLA ALMURBATI, <i>ET AL.</i> ,	)	
	)	
Petitioners,	)	
	)	
v.	)	
	)	Civil Action No. 04-1227 (RBW)
GEORGE WALKER BUSH, <i>ET AL.</i> ,	)	
	)	
Respondents.	)	
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**RESPONSE TO ORDER TO SHOW CAUSE**

On October 27, 2006, the Court issued an Order to show cause why the petition of Salah Abdul Rasool Al Bloushi should not be dismissed as moot in light of Mr. Al Bloushi’s transfer from Guantanamo Bay to the control of the government of Bahrain. Because the United States Court of Appeals for the District of Columbia is already seized of this issue, petitioner Al Bloushi requests that the Court defer briefing and any decision with respect to mootness.

As the Court is aware, the cases of all petitioners in this matter (as well as a number of other petitioners) have been pending before the Court of Appeals since early 2005. On September 21, 2006, in the context of that appeal, respondents served a Notice of Transfer and Motion to Dismiss Case as Moot as to Certain Petitioners (“Motion to Dismiss”). In the Motion to Dismiss, respondents requested that the cases of three petitioners in this action (as well as those of certain other petitioners) be dismissed as moot because the petitioners had been transferred to Bahrain. On October 13, 2006, petitioners in this action (as well as other petitioners) filed substantive opposition papers, explaining, *inter alia*, that their petitions were not moot in light of the fact that they will suffer significant collateral consequences due to their

designations as “enemy combatants.” On October 19, 2006, respondents filed reply papers. The Court of Appeals has yet to issue a decision on respondents’ Motion to Dismiss.

As such, the issue of whether a petitioner’s habeas petition is properly dismissed as moot due to a transfer from Guantanamo Bay has been fully briefed before the Court of Appeals. The parties are presently awaiting a ruling. For these reasons, and in the interest of judicial economy, petitioner Al Bloushi requests that the Court defer briefing and any decision with respect to mootness until the Court of Appeals issues an opinion on this question.

Dated: November 6, 2006

Respectfully submitted,

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By: /s/ Seth B. Waxman

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