

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 05-5224

September Term, 2006

01cv01001, 04cv01135, 04cv01144,
 04cv01194, 04cv01254, 04cv02035,
 04cv02215, 05cv00023, 05cv00247,
 05cv00270, 05cv00280, 05cv00301,
 05cv00329, 05cv00359, 05cv00392,
 05cv00454, 05cv00490, 05cv00492,
 05cv00520, 05cv00526, 05cv00551,
 05cv00569, 05cv00586, 05cv00621,
 05cv00634, 05cv00665, 05cv00723,
 05cv00877, 05cv00881, 05cv00887,
 05cv00993, 05cv00998, 05cv01048,
 05cv01189, 05cv01220, 05cv01236,
 05cv01246, 05cv01429, 05cv01453,
 05cv01489, 05cv01491, 05cv01555,
 05cv01635, 05cv01645, 05cv01649,
 05cv01666, 05cv01668, 05cv01714,
 05cv01806, 05cv01857, 05cv01983,
 05cv02185, 05cv02186, 05cv02197,
 05cv02248, 05cv02379

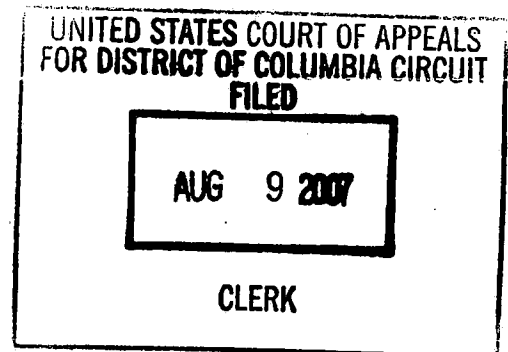
MANDATE	
<small>Pursuant to the provisions of Fed. R. App.Pro. 41(a)</small>	
ISSUED:	10, 9, 07
BY:	<i>[Signature]</i> Deputy Clerk
ATTACHED:	<input type="checkbox"/> Amending Order <input type="checkbox"/> Opinion <input type="checkbox"/> Order on Costs

Mahmoad Abdah, Detainee, Camp Delta, et al.,
Appellees

v.

George W. Bush, Jr., President of the United States,
et al.,
Appellants

Filed On:



Consolidated with 05-5225, 05-5226, 05-5227,
 05-5228, 05-5229, 05-5230, 05-5231, 05-5232,
 05-5233, 05-5234, 05-5235, 05-5236, 05-5237,
 05-5238, 05-5239, 05-5241, 05-5242, 05-5243,
 05-5244, 05-5245, 05-5246, 05-5247, 05-5248,
 05-5337, 05-5338, 05-5339, 05-5340, 05-5341,
 05-5353, 05-5374, 05-5390, 05-5398, 05-5399,
 05-5478, 05-5479, 05-5480, 05-5482, 05-5483,
 05-5484, 05-5486, 06-5037, 06-5039, 06-5040,
 06-5041, 06-5043, 06-5044, 06-5061, 06-5062,
 06-5063, 06-5064, 06-5065, 06-5066, 06-5067,
 06-5068, 06-5094

A True copy:

United States Court of Appeals
 for the District of Columbia Circuit
 By: *[Signature]* Deputy Clerk

United States Court of Appeals
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No. 05-5224

September Term, 2006

BEFORE: Sentelle, Henderson, and Tatel, Circuit Judges

ORDER

Upon consideration of the motion to vacate and dismiss in Nos. 05-5224, et al., and the notice of additional authority, the oppositions thereto, and the replies; the motion to hold in abeyance and to stay dismissal or order reinstatement in Nos. 05-5224, et al., and the opposition thereto; the motion to defer ruling on the motion to dismiss in No. 05-5226 and the opposition thereto; and the Supreme Court's orders granting the petitions for writ of certiorari in Boumediene v. Bush and Al Odah v. United States, Nos. 06-1195 and 06-1196, it is

ORDERED that the motion to defer ruling on the motion to dismiss in No. 05-5226 be denied. It is

FURTHER ORDERED that the motion to dismiss the appeals be granted in part. Nos. 05-5226, -5233, -5234, -5241, -5245, -5340, -5341, -5399, -5480, -5482, -5483, and Nos. 06-5044, -5061, -5063, -5066, and -5068 are hereby dismissed as moot in light of the release of the petitioners from United States custody. No. 06-5040 is hereby dismissed as moot because petitioner is deceased. It is

FURTHER ORDERED that the motion to vacate the notice orders and to dismiss the habeas petitions of appellees in Nos. 05-5234, 05-5483, 06-5061, and 06-5066 be dismissed as moot in light of petitioners' release and the district court's dismissal of the petitions for writ of habeas corpus. It is

FURTHER ORDERED that the motion to vacate the notice orders and to dismiss the habeas petitions of appellees in Nos. 05-5226, -5233, -5241, -5245, -5340, -5341, -5399, -5480, -5482, and Nos. 06-5040, -5044, -5063, and -5068 be denied without prejudice. The district court is the appropriate forum to determine whether petitioners' remaining claims in their habeas actions are moot. See Kiyemba v. Bush, 219 Fed. Appx. 7 (D.C. Cir. 2007). It is

FURTHER ORDERED that consideration of the government's motion to vacate and dismiss the remaining cases in Nos. 05-5224, et al., and appellees' motion to stay dismissal or order reinstatement, be deferred and these consolidated cases held in abeyance pending further order of the court. The parties are directed to file motions to govern further proceedings within thirty days of the Supreme Court's decision in Boumediene v. Bush and Al Odah v. United States, Nos. 06-1195 & 06-1196, cert. granted (U.S. Jun. 29, 2007). It is

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FURTHER ORDERED that the consolidation of Nos. 05-5226, -5233, -5234, -5241, -5245, -5340, -5341, -5399, -5480, -5482, -5483, and Nos. 06-5040, -5044, -5061, -5063, -5066, and -5068 with Nos. 05-5224, et al., be terminated.

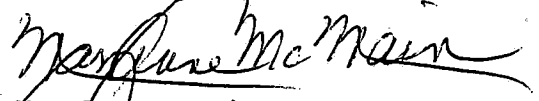
Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate in Nos. 05-5226, -5233, -5234, -5241, -5245, -5340, -5341, -5399, -5480, -5482, -5483, and Nos. 06-5040, -5044, -5061, -5063, -5066, and -5068 until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY:


MaryAnne McMain
Deputy Clerk/LD