

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DAVID M. HICKS,

Petitioner,

v.

GEORGE W. BUSH,
President of the United States, *et al.*,

Respondents.

Civil Action No. 02-CV-0299 (CKK)

**ORDER TO SHOW CAUSE REGARDING RESPONDENTS' MOTION TO DISMISS
OR FOR JUDGMENT AS A MATTER OF LAW WITH RESPECT TO CHALLENGES
TO THE MILITARY COMMISSION PROCESS**

By Order dated November 10, 2004, Judge Colleen Kollar-Kotelly transferred the pending motions to dismiss in this case to this Judge for resolution. One of the motions seeks dismissal of petitioner David M. Hicks' claims challenging the legality of military commission proceedings. Those claims, and the respondents' arguments that they should be dismissed, are similar to the claims and defenses resolved by Judge James Robertson in Hamdan v. Rumsfeld, 04-CV-1519 (JR), 2004 WL 2504508 (Nov. 8, 2004) (D.D.C.).

The respondents recently filed a notice of appeal in Hamdan seeking expedited review of the legality of the military commission proceedings that are also at issue in this case. Accordingly, and in the interest of the efficient administration of justice, it is hereby

ORDERED that counsel for petitioners and respondents shall file written submissions on or before November 29, 2004 showing cause why the respondents' Motion to Dismiss or for Judgment as a Matter of Law with Respect to Challenges to the Military Commission Process should not be held in abeyance pending final resolution of all appeals in Hamdan v. Rumsfeld.

IT IS SO ORDERED.
November 18, 2004

/s/
JOYCE HENS GREEN
United States District Judge