

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-1197

September Term 2008

CSRT-ISN-968

Filed On: November 5, 2008

Haji Bismullah, also known as Haji Bismillah,
also known as Haji Bismella and Haji
Mohammad Wali, Next Friend of Haji
Bismullah,

Petitioners

v.

Robert M. Gates, Secretary of Defense,

Respondent

No. 07-1508

CSRT-ISN-275

Abdusabour,

Petitioner

v.

Robert M. Gates, U.S. Secretary of Defense,
et al.,

Respondents

No. 07-1523

CSRT-ISN-328

Hammad

Petitioner

v.

Robert M. Gates, Secretary of Defense and
Wade F. Davis, Colonel, USA,

Respondents

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-1197

September Term 2008

BEFORE: Ginsburg, Henderson, and Rogers, Circuit Judges

ORDER

Upon consideration of respondent's petition for rehearing and the response thereto, it is

ORDERED that the petition for rehearing be granted in part. It is

FURTHER ORDERED that this case be scheduled for oral argument before the above-named panel at 9:30 a.m. on Thursday, November 20, 2008. Oral argument is limited to the issue whether this court retains subject matter jurisdiction over petitions filed pursuant to the Detainee Treatment Act after the decision in *Boumediene v. Bush*, 128 S. Ct. 2229 (2008) (holding that the Military Commissions Act effected an unconstitutional suspension of the writ of habeas corpus). See *Basardh v. Gates*, No. 07-1192 (D.C. Cir. Nov. 4, 2008). It is

FURTHER ORDERED, on the court's own motion, that the following times are allotted for the oral argument of this case:

Petitioners	--	15 minutes
Respondent	--	15 minutes

Only one counsel per side will be permitted to argue.

The enclosed Form 72 must be completed and returned to the Clerk's office by November 17, 2008.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Cheri Carter
Deputy Clerk