

03-1027 RUMSFELD v. PADILLA

Ruling below: CA 2, 352 F. 3d 695

QUESTIONS PRESENTED

1. Whether the President has authority as Commander in Chief and in light of Congress's Authorization for Use of Military Force, Pub. L. No.107-40, 115 Stat. 224, to seize and detain a United States citizen in the United States based on a determination by the President that he is an enemy combatant who is closely associated with al Qaeda and has engaged in hostile and war-like acts, or whether 18 U.S.C. 4001(a) precludes that exercise of Presidential authority.
2. Whether the district court has jurisdiction over the proper respondent to the amended habeas petition.

CERT. GRANTED: 2/20/04
Expedited briefing schedule.