

06-1195 BOUMEDIENE V. BUSH

DECISION BELOW: 476 F3d 981

LOWER COURT CASE NUMBER: 05-5062

QUESTION PRESENTED:

1. Whether the Military Commissions Act of 2006, Pub. L. No. 109-366, 120 Stat. 2600, validly stripped federal court jurisdiction over habeas corpus petitions filed by foreign citizens imprisoned indefinitely at the United States Naval Station at Guantanamo Bay.
2. Whether Petitioners' habeas corpus petitions, which establish that the United States government has imprisoned Petitioners for over five years, demonstrate unlawful confinement requiring the grant of habeas relief or, at least, a hearing on the merits.

THE PETITIONS FOR REHEARING ARE GRANTED. THE ORDERS ENTERED APRIL 2, 2007, DENYING THE PETITIONS FOR WRITS OF CERTIORARI ARE VACATED. THE PETITIONS FOR WRITS OF CERTIORARI ARE GRANTED. THE CASES ARE CONSOLIDATED AND A TOTAL OF ONE HOUR IS ALLOTTED FOR ORAL ARGUMENT. AS IT WOULD BE OF MATERIAL ASSISTANCE TO CONSULT ANY DECISION IN BISMULLAH, ET AL., V. GATES, NO. 06-1197, AND PARHAT, ET AL., V. GATES, NO. 06-1397, CURRENTLY PENDING IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, SUPPLEMENTAL BRIEFING WILL BE SCHEDULED UPON THE ISSUANCE OF ANY DECISION IN THOSE CASES.
CERT. GRANTED 6/29/2007