

**U.S. District Court
Eastern District of Virginia – (Norfolk)
CIVIL DOCKET FOR CASE #: 2:02-cv-00439-RGD-JEB**

Hamdi, et al v. Rumsfeld, et al
Assigned to: District Judge Robert G. Doumar
Referred to: Magistrate Judge James E. Bradberry
Demand: \$0
Case in other court: 02-06895
Cause: 28:2241 Petition for Writ of Habeas Corpus (Federal)

Date Filed: 06/11/2002
Date Terminated: 10/11/2004
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner

Yaser Esam Hamdi

represented by **Yaser Esam Hamdi**
Norfolk Naval Brig
825 Ingersoll Street
Norfolk, VA 23511-2699
PRO SE

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Larry W. Shelton
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LEAD ATTORNEY
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Petitioner

Esam Fouad Hamdi
As Next Friend of Yaser Esam Hamdi

represented by **Esam Fouad Hamdi**
P.O. Box 240
Jubail, Saudi Arabia 31951
PRO SE

V.

Respondent

Donald H. Rumsfeld

represented by **Gregory George Garre**
United States Department of Justice
950 Pennsylvania Ave NW
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Respondent**Commander W.R. Paulette**

represented by **Gregory George Garre**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lawrence Richard Leonard
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant**Friends of Immigration Law
Enforcement**

Date Filed	#	Docket Text
06/11/2002	1	PETITION for writ of habeas corpus; FILING FEE \$5.00; RECEIPT #34655 (vwar) (Entered: 06/11/2002)
06/11/2002		CASE REFERRED to Magistrate Judge James E. Bradberry (vwar) (Entered: 06/11/2002)
06/11/2002	2	ORDER that the petition be filed; further ordering that this case and case 2:02cv348 and 2:02cv382 be consolidated; ordering that this case be consolidated with those cases subject to the USCA for the 4th Circuit allowing such consolidation; ordering that the federal public defender's office and/or Frank Dunham and/or Larry Shelton be appointed counsel for the petitioner; ordering that the respondents answer this order to show cause by 12:00 noon on 6/17/02; ordering that the respondents allow either Frank Dunham or Larry Shelton the opportunity to meet with Yaser Esam Hamdi within 72 hours of the entry of this order or immediately following the elimination of the any stay of this order, an interpreter with the appropriate government security clearance will be allowed to attend the meeting; ordering that this order is stayed until 5:00 p.m. on Friday, 6/14/02 to allow the respondents an opportunity to appeal this order or if the USCA allows a consolidation with the other pending cases until further order of the Court of Appeals, entered and filed 6/11/02 (signed by Judge Robert G. Doumar) Copies Mailed: 6/11/02 [EOD Date: 6/11/02] (vwar) (Entered: 06/11/2002)
06/11/2002		CASE REFERRED to Mag Judge James E. Bradberry (afor) (Entered: 04/22/2004)
06/12/2002	3	U.S. Marshals return of service, Returned Executed as to Donald H. Rumsfeld, Commander W.R. Paulette 6/12/02 Answer due on 8/12/02 for Commander W.R. Paulette, for Donald H. Rumsfeld (jcow) (Entered: 06/12/2002)
06/12/2002	4	ORDER that the petition be served upon the respondents and the US Attorney, directing the clerk to forward copies of both the petition and this order by fax and US mail to all counsel of record in the consolidated action, to Gregory Garre of the US Department of Justice, to the US Court of Appeals for the Fourth Circuit and to Yaser Esam Hamdi, further directing the clerk to forward a copy of both the petition and this order to the US Marshal for service of both upon the respondents and the US Attorney; directing the US Marshal's office to serve both the petition and this order upon the respondents and the US Attorney, entered and filed 6/12/02 (signed by Judge Robert G. Doumar) Copies Mailed: 6/12/02 [EOD Date: 6/12/02] (jcow) (Entered: 06/12/2002)
06/13/2002	5	NOTICE OF APPEAL by Donald H. Rumsfeld, Commander W.R. Paulette (jcow) (Entered: 06/13/2002)

06/13/2002		Copy of Notice of Appeal, Order and docket sheet to USCA: copy of notice of appeal to respondent/appellant re: [5-1] appeal by Commander W.R. Paulette, Donald H. Rumsfeld; copy of notice of appeal to counsel of record (jcow) (Entered: 06/13/2002)
06/13/2002	6	Copy of USCA Order Granting the emergency motion for temporary stay and staying the district court's order of 6/11/02, pending this Court's ruling on appellants' motion for a stay pending appeal of that order; directing appellees to file a response to the motion for stay pending appeal to be received by the clerk no later than 2:00pm on 6/14/02. (jcow) (Entered: 06/13/2002)
06/17/2002	7	Copy of USCA Order Granting a stay of the district court's June 11 order in this case, the Court further stays all proceedings before the district court in connection with this detainee until resolution of this appeal and appeal No. 02-6827; all stays shall remain in effect pending further order of this Court; directing the parties to file briefs on the merits of the appeal. (jcow) (Entered: 06/17/2002)
06/18/2002	8	U.S. Marshal Service Process form Returned Executed as to Donald H. Rumsfeld, Commander W.R. Paulette 6/13/02 (jcow) (Entered: 06/18/2002)
06/19/2002		USCA Case Number Re: [5-1] appeal by Commander W.R. Paulette, Donald H. Rumsfeld CASE MANAGER: Lisa Jernigan USCA NUMBER: 02-6895 (jcow) (Entered: 06/19/2002)
06/20/2002	9	Copy of USCA Order directing tht oral argument in appeal No. 02-6895 be scheduled for 6/25/02 at 2:30 (jcow) (Entered: 06/21/2002)
06/21/2002	10	Two U.S. Marshals Service process receipt and return forms Returned Executed as to Donald H. Rumsfeld 6/12/02 (jcow) (Entered: 06/21/2002)
06/27/2002	11	SUMMONS Returned Executed as to Donald H. Rumsfeld 6/19/02 (jcow) (Entered: 06/27/2002)
07/15/2002	12	Advanced copy of Opinion of USCA re: [5-1] appeal by Commander W.R. Paulette, Donald H. Rumsfeld - REVERSED AND REMANDED by published opinion (lbox) Modified on 07/17/2002 (Entered: 07/16/2002)
07/18/2002	13	TRANSCRIPT OF PROCEEDINGS for dates of 7/18/02, before USDJ Robert G. Doumar, OCR - Penny C. Wile (vwar) (Entered: 07/18/2002)
07/18/2002	14	Court Proceedings: RGD, USDJ. Counsel appeared. Came on for scheduling conference. Govt. to answer petition on or before 12:00 p.m., 7/25/02; replies due on or before 12:00 p.m., 7/30/02. Govt. to file any motion to terminate appointment of counsel on or before 12:00 p.m., 7/23/02; replies due on or before 7/24/02. Rule 26 disclosures due on or before 12:00 p.m., 7/22/02. (bwin) (Entered: 07/18/2002)
07/19/2002	15	Advanced copy of Opinion of USCA re: [5-1] appeal by Commander W.R. Paulette, Donald H. Rumsfeld 7/12/02 (jcow) (Entered: 07/19/2002)
07/22/2002	16	Respondents' Rule 26 Statement filed by Donald H. Rumsfeld, Commander W.R. Paulette (jcow) (Entered: 07/22/2002)
07/22/2002	17	ORDER that the US Attorney either submit the disclosures required by Rule 26 or make a proper motion for relief by 7/24/02 at noon, entered and filed 7/22/02 (signed by Judge Robert G. Doumar) Copies Mailed: 7/22/02 [EOD Date: 7/23/02] (jcow) (Entered: 07/23/2002)
07/23/2002	18	Response by Yaser Esam Hamdi to respondents' refusal to file Rule 26 disclosures filed [16-1] by Commander W.R. Paulette, Donald H. Rumsfeld (jcow) (Entered: 07/23/2002)
07/23/2002	19	MOTION by Commander W.R. Paulette, Donald H. Rumsfeld to terminate appointment of counsel or in the alternative to require counsel to show cause why the financial eligibility requirements of 18 U.S.C. 3006A are met (jcow) (Entered: 07/23/2002)
07/23/2002	20	MEMORANDUM in support of [19-1] motion to terminate appointment of counsel or in the alternative to require counsel to show cause why the financial eligibility requirements of 18 U.S.C. 3006A are met by Commander W.R. Paulette,

		Donald H. Rumsfeld, received (jcow) (Entered: 07/23/2002)
07/24/2002	21	RESPONSE by Yaser Esam Hamdi, Esam Fouad Hamdi to [19-1] motion to terminate appointment of counsel by Commander W.R. Paulette, Donald H. Rumsfeld (jcow) (Entered: 07/24/2002)
07/24/2002	22	MOTION by Commander W.R. Paulette, Donald H. Rumsfeld for relief from this court's order dated July 18, 2002 requiring the government to file Federal Rule of Civil Procedure 26(a)(1) initial disclosures (jcow) (Entered: 07/24/2002)
07/24/2002	23	MEMORANDUM in support of [22-1] motion by Commander W.R. Paulette, Donald H. Rumsfeld for relief from this court's order dated July 18, 2002 requiring the government to file Federal Rule of Civil Procedure 26(a)(1) initial disclosures, received (jcow) (Entered: 07/24/2002)
07/24/2002	24	TRANSCRIPT of telephonic conference for date of 7/24/02 before U.S. District Judge Robert G. Doumar, Penny Wile, OCR (jcow) (Entered: 07/25/2002)
07/25/2002	25	ANSWER to Complaint by Donald H. Rumsfeld, Commander W.R. Paulette (jcow) (Entered: 07/25/2002)
07/25/2002	25	MOTION with Memorandum in Support by Commander W.R. Paulette, Donald H. Rumsfeld to Dismiss (jcow) (Entered: 07/25/2002)
07/25/2002	26	MOTION by Commander W.R. Paulette, Donald H. Rumsfeld for Gregory George Garre to appear pro hac vice (jcow) (Entered: 07/25/2002)
07/26/2002	27	RESPONSE by Yaser Esam Hamdi, Esam Fouad Hamdi to [22-1] motion for relief from this court's July 18, 2002 order by Commander W.R. Paulette, Donald H. Rumsfeld (jcow) (Entered: 07/26/2002)
07/26/2002	28	REPLY by Donald H. Rumsfeld, Commander W.R. Paulette to response to [19-1] motion by Commander W.R. Paulette, Donald H. Rumsfeld by Commander W.R. Paulette, Donald H. Rumsfeld (jcow) (Entered: 07/26/2002)
07/29/2002		So Ordered: granting [26-1] motion by Commander W.R. Paulette, Donald H. Rumsfeld for Gregory George Garre to appear pro hac vice, fee waiver granted, entered and filed 7/29/02 (signed by Judge Robert G. Doumar) Copies Mailed: 7/29/02 (jcow) (Entered: 07/29/2002)
07/30/2002	29	RESPONSE by Yaser Esam Hamdi, Esam Fouad Hamdi to [25-1] motion to Dismiss by Commander W.R. Paulette, Donald H. Rumsfeld (jcow) (Entered: 07/30/2002)
07/31/2002	30	ORDER setting a hearing to hear argument on materials submitted, set Hearing Deadline for 2:00 8/8/02 , further ordering the government to produce certain materials (see order for specifics) by noon on 8/6/02, entered and filed 7/31/02 (signed by Judge Robert G. Doumar) Copies Mailed: and faxed 7/31/02 [EOD Date: 7/31/02] (jcow) (Entered: 07/31/2002)
08/01/2002	31	Notice of supplemental authority filed by petitioner Yaser Esam Hamdi, petitioner Esam Fouad Hamdi (jcow) (Entered: 08/01/2002)
08/05/2002	32	MOTION by Commander W.R. Paulette, Donald H. Rumsfeld for relief from this court's production order of July 31, 2002 (jcow) (Entered: 08/06/2002)
08/05/2002	33	MEMORANDUM in support of [32-1] motion for relief from this court's production order of July 31, 2002 by Commander W.R. Paulette, Donald Rumsfeld, received (jcow) (Entered: 08/06/2002)
08/07/2002	34	ORDER that the hearing scheduled for 8/8/02 at 2:00pm is cancelled and suspending all proceedings in this case until the Court of Appeals has acted on the motion of the petitioner for relief from the stay, entered and filed 8/7/02 (signed by Judge Robert G. Doumar) Copies Mailed: and faxed 8/7/02 [EOD Date: 8/7/02] (jcow) (Entered: 08/07/2002)
08/08/2002	35	Copy of USCA Order Dissolving the stay in order that the district court may proceed in strict compliance with our July 12, 2002 decision which directed the court to consider the most cautious procedures first, conscious of the prospect that

		the least drastic procedures may promptly resolve Hamdi's case and make more intrusive measures unnecessary; in accordance with the principles set forth in Hamdi v. Rumsfeld 2002 WL 1483908 (4th Cir. July 12, 2002 the district court shall consider the sufficiency of the Mobbs declaration as an independent matter before proceeding further, entered at the direction of Chief Judge Wilkinson with the concurrence of Judge Wilkins and Judge Traxler (jcow) (Entered: 08/08/2002)
08/09/2002	36	Opinion of USCA re: [5-1] appeal by Commander W.R. Paulette, Donald H. Rumsfeld 7/12/02 (jcow) (Entered: 08/09/2002)
08/09/2002	37	JUDGMENT OF USCA Reversing the District Court's June 11 order mandating access to counsel, REMANDING to the District Court for further proceedings consistent with the Court's opinion (certified copy) Re: [5-1] appeal, filed. (jcow) (Entered: 08/09/2002)
08/09/2002	38	ORDER setting this matter for a hearing on 8/13/02, at 11:00 a.m., for argument on the sufficiency of the Mobbs declaration, entered and filed 8/9/02 (signed by Judge Robert G. Doumar) Copies Mailed: 8/9/02 [EOD Date: 8/9/02] (vwar) (Entered: 08/09/2002)
08/09/2002		Hearing Deadline set at 11:00, on 8/13/02 before Judge Robert G. Doumar (vwar) (Entered: 08/09/2002)
08/12/2002	39	ORDER directing counsel to file an additional copy of pleadings, which are not in camera or under seal which copy the Clerk shall provide to the Court's contract copy service for access to the media and the public at the usual fee, the copy service telephone number is 757-533-9126, entered and filed 8/12/02 (signed by Judge Robert G.) Copies Mailed: 8/12/02 [EOD Date: 8/12/02] (vwar) Modified on 08/12/2002 (Entered: 08/12/2002)
08/12/2002	40	NOTICE of Supplemental Materials by Donald H. Rumsfeld, Commander W.R. Paulette (vwar) (Entered: 08/12/2002)
08/13/2002	41	Court Proceedings: RGD, USDJ. Penny Wile, OCR. Counsel appeared. Came on for hearing on the sufficiency of the Mobbs declaration. Arguments heard. Court takes matter under advisement. (bwini) (Entered: 08/13/2002)
08/14/2002	42	TRANSCRIPT OF PROCEEDINGS for dates of 8/13/02, before USDJ Doumar, Penny C. Wile, OCR (vwar) (Entered: 08/14/2002)
08/16/2002	43	ORDER denying [32-1] motion by Commander W.R. Paulette, Donald H. Rumsfeld for relief from this court's production order of July 31, 2002; directing the respondents to submit to the court the materials previously requested in the 7/31/02 order, together with the screening criteria utilized to determine the status of Hamdi with the names and addresses of the persons who made the determination; such sealed documents to be produced by 4:30 p, on 8/21/02 for the Judge's in camera review, entered and filed 8/16/02, (signed by Judge Robert G. Doumar) Copies Mailed: 8/16/02 [EOD Date: 8/16/02] (ariv) (Entered: 08/16/2002)
08/19/2002	44	MOTION by Commander W.R. Paulette, Donald H. Rumsfeld for certification of interlocutory appeal and for stay (jcow) (Entered: 08/20/2002)
08/20/2002	45	Chambers Proceedings (Conference Call): RGD, USDJ. Penny Wile, OCR. Participants: Larry W. Shelton, Lawrence R. Leonard and Gergory G. Garre. Respondents' motion to extend time to submit materials to the court granted. Materials to be submitted to Judge Doumar's Chambers, under seal, by 12:00 p.m., 8/26/02. Petitioner to reply to respondents' motion for interlocutory appeal by 10:00 a.m., 8/21/02. (bwini) (Entered: 08/20/2002)
08/20/2002	46	ORDER that the petitioners file their brief, set Brief deadline to 10:00 8/21/02 , Ordering the respondents to produce the documents outlined in the 8/16/02 production order, set Respond Deadline 12:00 8/26/02 , or at such time as the court directs after the court decides the respondents' motion for certification of interlocutory appeal, entered and filed 8/20/02 (signed by Judge Robert G. Doumar) Copies Mailed and faxed: 8/20/02 [EOD Date: 8/20/02] (jcow) (Entered: 08/20/2002)

08/21/2002	47	Response by Yaser Esam Hamdi, Esam Fouad Hamdi to [44-1] motion by Commander W.R. Paulette, Donald H. Rumsfeld for Certification of Interlocutory Appeal and for Stay, received. (vwar) (Entered: 08/21/2002)
08/21/2002	48	TRANSCRIPT of TELEPHONIC CONFERENCE for dates of 8/20/02; before USDJ Robert G. Doumar, Penny C. Wile, OCR (vwar) (Entered: 08/21/2002)
08/21/2002	49	ORDER certifying the question regarding the Mobbs Declaration, as outlined in the order, to the Fourth Circuit Court of Appeals and staying the deadline for compliance with its 8/16/02 production order until 5 days after the Court of Appeals for the Fourth Circuit either declines jurisdiction over the appeal or issues a ruling on the certified question, entered and filed 8/21/02 (signed by Judge Robert G. Doumar) Copies Mailed: 8/21/02 [EOD Date: 8/21/02] (vwar) (Entered: 08/21/2002)
08/22/2002	50	MOTION by Friends of Immigration to Intervene (vwar) (Entered: 08/22/2002)
08/23/2002	51	RESPONSE by Yaser Esam Hamdi, Esam Fouad Hamdi to [50-1] motion by Friends of Immigration to Intervene (ariv) (Entered: 08/26/2002)
08/28/2002	52	REPLY by Friends of Immigra. to response to [50-1] motion to Intervene, received. (vwar) (Entered: 08/28/2002)
09/12/2002	53	Copy of USCA Order granting respondents' petition for permission to appeal the district court's 8/16/02 order; respondents' opening brief is due 10/4/02, petitioners' answering brief is due by 10/18/02, respondents' reply brief is due 10/24/02 and oral argument is scheduled for 10/28/02 at 2:30 (jcow) (Entered: 09/12/2002)
09/18/2002	54	RESPONSE in Opposition by Donald H. Rumsfeld, Commander W.R. Paulette to [50-1] motion by Friends of Immigration Law Enforcement to Intervene (jcow) (Entered: 09/19/2002)
10/03/2002	55	Response by Friends of Immigration Law Enforcement to [54-1] motion response by Commander W.R. Paulette, Donald H. Rumsfeld (jcow) (Entered: 10/04/2002)
01/09/2003	56	Advanced copy of Opinion of USCA re: appeal filed in U.S. Court of Appeals, decided 1/8/03 (jcow) (Entered: 01/09/2003)
01/14/2003	57	Advanced copy of published Opinion of USCA re: 1/8/03 (jcow) (Entered: 01/14/2003)
02/25/2003		A timely petition for rehearing and for rehearing en banc has been filed (jcow) (Entered: 02/26/2003)
03/25/2003		Certified and transmitted Record on Appeal to U.S. Court of Appeals (jcow) (Entered: 03/25/2003)
07/10/2003	58	Opinion of USCA re: appeal filed, decided 1/8/03 (jcow) (Entered: 07/10/2003)
07/10/2003	59	JUDGMENT OF USCA reversing the judgment of the District Court and remanding this case for further proceedings consistent with the Court's opinion (certified copy) Re: [5-1] appeal, filed. (jcow) (Entered: 07/10/2003)
07/14/2003		Record on Appeal returned from U.S. Court of Appeals (jcow) (Entered: 07/14/2003)
10/09/2003		Letter/notice received from the U.S. Court of Appeals that the Supreme Court has received and filed a petition for writ of certiorari (jcow) (Entered: 10/09/2003)
01/14/2004		Letter/notice received from the U.S. Court of Appeals that a Supreme Court Order was filed on 1/9/04 granting certiorari (jcow) (Entered: 01/14/2004)
03/10/2004		Certified and transmitted Record on Appeal to U.S. Supreme Court (jcow) (Entered: 03/10/2004)
08/05/2004	60	Copy of United States Supreme Court Order that the judgment of the U.S. Court of Appeals for the Fourth Circuit is vacated and the cause is remanded to the U.S. Court of Appeals for the Fourth Circuit for further proceedings. (jcow) (Entered: 08/05/2004)

08/09/2004	61	Copy of Opinion of USCA remanding the this matter to the District Court for further proceedings consistent with the Supreme Court's decision; attached copy of judgment will not take effect until issuance of the mandate. (jcow) (Entered: 08/09/2004)
08/11/2004	62	MOTION with Memorandum in Support by Yaser Esam Hamdi by Yaser Esam Hamdi for Leave to Amend Habeas Corpus Petition (vwar) (Entered: 08/11/2004)
08/11/2004	63	JOINT MOTION by Yaser Esam Hamdi, Donald H. Rumsfeld, Commander W.R. Paulette by Commander W.R. Paulette, Donald H. Rumsfeld, Yaser Esam Hamdi to Stay Proceedings (vwar) (Entered: 08/11/2004)
08/11/2004		Deadline updated; Response to Motion reset to 8/25/04 for [62-1] motion by Yaser Esam Hamdi for Leave to Amend Habeas Corpus Petition (vwar) (Entered: 08/11/2004)
08/12/2004		Record on Appeal returned from U.S. Supreme Court (jcow) (Entered: 08/12/2004)
08/19/2004	64	ORDER granting in part [63-1] joint motion by Commander W.R. Paulette, Donald H. Rumsfeld, Yaser Esam Hamdi to Stay Proceedings, directing respondents to notify court regarding its intent to to either pursue or withdraw motion disqualifying Public Defender by 12:00 noon on 8/20/04; ordering that respondents produce Petitioner for a full hearing on the merits at 9:30 a.m. on 8/30/04, unless matter is dismissed; set Evidentiary Hearing for 8/30/04 before Judge Robert G. Doumar ; entered and filed 8/19/04 (signed by Judge Robert G. Doumar) Copies Mailed: 8/19/04 [EOD Date: 8/19/04] (vwar) (Entered: 08/19/2004)
08/19/2004	65	Minute Entry of Conference Call in Chambers: RGD, Judge. Penny Wile, OCR. Participants: Frank W. Dunham, Jr., FPD, Larry W. Shelton, AFPD, and Lawrence W. Leonard, AUSA. Came on for hearing on pending motions. Comments of court and counsel. Rulings stated into record. Court set hearing on Monday, August 30, 2004, at 9:30 a.m., unless matter is dismissed before that time. Petitioner shall be produced for hearing. Court will prepare order. (bwin) (Entered: 08/19/2004)
08/20/2004	66	TRANSCRIPT OF TELEPHONIC PROCEEDINGS for dates of 8/19/04, before USDJ Doumar, Penny C. Wile, OCR. (vwar) (Entered: 08/20/2004)
08/25/2004	67	JOINT MOTION by Yaser Esam Hamdi to Substitute Amended Exhibit A to Motion and Memorandum for Leave to Amend Habeas Corpus Petition by Yaser Esam Hamdi (vwar) (Entered: 08/25/2004)
08/25/2004	68	ORDER granting [67-1] joint motion to Substitute Amended Exhibit A to Motion and Memorandum for Leave to Amend Habeas Corpus Petition by Yaser Esam Hamdi, entered and filed 8/25/04 (signed by Judge Robert G. Doumar) Copies Mailed: 8/25/04 [EOD Date: 8/25/04] (vwar) (Entered: 08/25/2004)
08/25/2004	69	First Amended Petition for writ of habeas corpus (vwar) (Entered: 08/25/2004)
08/25/2004		First proposed first amended petition for writ of habeas corpus, submitted 8/11/04 with motion for leave to amend, but not filed, is SEALED by agreement of counsel and at the direction of the court, until any such further order as may be necessary. (vwar) (Entered: 08/25/2004)
08/26/2004	70	PETITIONER'S HEARING MEMORANDUM by Yaser Esam Hamdi (vwar) (Entered: 08/26/2004)
08/26/2004	71	MOTION with Memorandum in Support by Donald H. Rumsfeld, Commander W.R. Paulette by Commander W.R. Paulette, Donald H. Rumsfeld to Stay Proceedings (vwar) (Entered: 08/26/2004)
08/26/2004	72	RESPONSE by Yaser Esam Hamdi to [71-1] motion by Commander W.R. Paulette, Donald H. Rumsfeld to Stay Proceedings, received. (vwar) (Entered: 08/26/2004)
08/27/2004	73	Minute Entry of Conference Call in Chambers: RGD, USDJ. Penny Wile, OCR. Participants: Frank Dunham, Jr., Larry W. Shelton, Michael Rhine and Josphe Hunt. Came on for hearing on motion for continuance. Arguments heard. Motion granted. Rulings states into record. Court will prepare order. Matter continued to

		Tuesday, August 31, 2004, at 10:00 a.m., if Court's order is not complied with. (bwin) (Entered: 08/27/2004)
08/27/2004	74	ORDER granting in part, denying in part [71-1] motion by Commander W.R. Paulette, Donald H. Rumsfeld to Stay Proceedings; STAYING this action until 8/31/04 at 10:00 A.M., at which time this court will hold a full hearing on the merits unless further continued; directing respondents to produce petitioner at the hearing unless it is continued or dismissed prior thereto; directing respondents to provide petitioner's counsel with certain specified materials for their perusal only by 3:00 P.M. on 8/30/04; directing petitioner's counsel to notify the court regarding respondent's compliance with this order by 4:00 P.M. on 8/30/04; directing respondents to submit to the court by facsimile by 3:00 P.M. on 8/30/04 a sworn statement or affirmation under penalty of perjury from the Commander of the Consolidated Naval Brig in Charleston, S.C., explaining the reasons for petitioner's solitary confinement; and advising that if respondents are in compliance with the requirements of this order within the times and dates specified, the Court will stay the hearing again until 9/7/04 at 10:00 A.M., at which time the respondents must produce Hamdi; and advising that under no circumstances will this matter be continued thereafter, reset Evidentiary Hearing for 10:00 8/31/04 before Judge Robert G. Doumar , entered and filed 8/27/04, (signed by Judge Robert G. Doumar) Copies Faxed and Mailed: 8/27/04 [EOD Date: 8/27/04] (ariv) (Entered: 08/27/2004)
08/30/2004	75	TRANSCRIPT OF TELEPHONIC PROCEEDINGS for dates of 8/27/04, before USDJ Doumar, Penny C. Wile, OCR (vwar) (Entered: 08/30/2004)
08/30/2004	76	ORDER vacating [74-1] order, vacating evidentiary hearing on 8/31/04 at 10:00 a.m., and vacating direction of respondent to furnish certain documents; entered and filed 8/30/04 (signed by Judge Robert G. Doumar) Copies Mailed: 8/30/04 [EOD Date: 8/30/04] (vwar) (Entered: 08/30/2004)
09/01/2004	77	COPY of USCA Order advising that until mandate is issued, USDC is without jurisdiction to proceed in this matter; staying all proceedings before the district court until mandate from USCA is issued. (vwar) (Entered: 09/01/2004)
09/24/2004	78	MOTION by Yaser Esam Hamdi to Stay Proceedings (vwar) (Entered: 09/27/2004)
09/28/2004	79	Copy of USCA Order granting the joint motion to stay issuance of the mandate until 9/30/04 (jcow) (Entered: 09/28/2004)
10/01/2004	80	JUDGMENT OF USCA (certified copy) with copy of opinion of USCA remanding the case to the District Court re: [5-1] appeal (jcow) (Entered: 10/01/2004)
10/05/2004	82	Minute entry: Came on for status conference in chambers. RGD, USDJ. Paul McManus, OCR. Larry W. Shelton, AFD, and Lawrence R. Leonard, AUSA, present. Frank W. Dunham, Jr., FPD, and David Salmons, USDOJ, participated by conference call. Rulings stated into record. Court will prepare order. Order will be sealed. Minutes previously under seal. Docketed this date pursuant to Court's direction. (bwin) (Entered: 10/12/2004)
10/05/2004	83	ORDER on status conference held 10/5/04 at 12:30 PM as follows: petitioner should be returned to Saudi Arabia by 10/8/04 at 12:00 noon and an affidavit to that effect must be filed in this court by 12:00 noon on 10/8/04 or an evidentiary hearing on the petition will be held 10/12/04 at 10:00 AM at which petitioner must be present; also if certification is not received of petitioner's arrival in Saudi Arabia by 10/8/04 at 12:00 noon, copies of all statements made by Mr. Hamdi, etc., which the government may have in its possession or seek to offer into evidence at the hearing must be delivered to Federal Public Defender Frank Dunham and to the court, under seal, to be perused in camera; directing that this order will remain under seal until 10/8/04 at 12:00 noon; and advising that the court will consider any future motions counsel for respondent may have based on its inability to deliver the petitioner to Saudi Arabia by 10/8/04 at 12:00 noon, entered and filed 10/5/04, (signed by Judge Robert G. Doumar) Copies Mailed: 10/5/04 (under seal until 10/11/04; docketed this date pursuant to direction of court) [EOD Date: 10/12/04] (ariv) (Entered: 10/12/2004)

10/08/2004	84	Minute entry: Came on for status conference in chambers. RGD, judge. Paul McManus, OCR. Frank W. Dunham, Jr., FPD, and David Salmons, USDOJ, participated by conference call. Order entered 10/5/04 to remain under seal until further order. Further proceedings continued to 4:00 p.m. today. Later: 4:00 p.m. – Penny Wile, OCR. Further proceedings continued to Monday, 10/10/04, at 2:00 p.m. Transcripts of all proceedings to remain under seal. Minutes previously under seal. Docketed this date pursuant to Court's direction. (bwin) Modified on 10/12/2004 (Entered: 10/12/2004)
10/08/2004	85	NOTICE of filing of classified documents under seal, by Donald H. Rumsfeld, Commander W.R. Paulette (under seal until 10/11/04, docketed this date pursuant to court direction) (ariv) (Entered: 10/12/2004)
10/11/2004	81	ORDER noting the court's previous hearing on October 5, 2004, during which an evidentiary hearing was scheduled for 10/12/04 at 10:00 AM unless petitioner was released from custody prior to October 8, 2004 at 12:00 noon; directing that if petitioner was not released by that time, respondents must submit, under seal, copies of documents on which it would rely in its case-in-chief against petitioner for perusal by the judge and counsel for petitioner by 2:00 pm on 10/8/04; directing that the order of 10/5/04 was to remain under seal until 12:00 pm on 10/8/04; noting the status conference held prior to noon on 10/8/04 at which time the parties advised that petitioner would not be released by noon that date and jointly asked the court to keep the 10/5/04 order under seal until 10/11/04; noting that respondents complied with the portion of the order requiring submission under seal of the specified documents; noting a later status conference that date, at which time the court advised that it would consider continuing the hearing if petitioner were released and in Saudi Arabia by 10/11/04, and directed that the October 5th order and any subsequent orders would remain under seal until 10/11/04; noting a status conference held 10/11/04 at 2:00 pm, at which counsel for both parties assured that petitioner was released and arrived in Saudi Arabia on 10/11/04; DISMISSING the petition ; retaining jurisdiction to enforce the terms of any valid settlement agreement; cancelling the scheduled evidentiary hearing; and directing the Clerk to unseal the court's prior orders, transcripts, and any submissions to the Court, except those submissions classified as secret which were returned to security officers for the U.S. Department of Justice after perusal by the Court, signed by Judge Robert G. Doumar) Copies Mailed: 10/12/04 [EOD Date: 10/12/04] (ariv) (Entered: 10/12/2004)
10/11/2004		Case closed (ariv) (Entered: 10/12/2004)
10/11/2004		Disposable Record (ariv) (Entered: 10/12/2004)
10/12/2004	86	STIPULATION of dismissal with prejudice as settled, and without costs, attorneys' fees or expenses as against any party, by parties, pursuant to Rule 41(a)(1)(ii) FRCP. (ariv) (Entered: 10/12/2004)
10/12/2004	87	NOTICE of withdrawal of filing under seal, by Donald H. Rumsfeld, Commander W.R. Paulette (ariv) (Entered: 10/14/2004)
10/13/2004	88	TRANSCRIPT of telephonic proceedings before Judge Doumar on 10/11/04 (ariv) (Entered: 10/14/2004)
09/07/2006		Case file sent to Federal Records Center. (tlev) (Entered: 12/11/2006)