

653 F.3d 982  
United States Court of Appeals,  
Ninth Circuit.

Abdullah AL-KIDD, Plaintiff-Appellee,  
v.  
John ASHCROFT, Attorney General, Defendant-  
Appellant.

No. 06-36059.  
|  
Aug. 3, 2011.

**Attorneys and Law Firms**

Lee P. Gelernt, ACLU-American Civil Liberties Union  
Foundation, New York, NY, R. Keith Roark, Esquire,  
Hailey, ID, Cynthia J. Woolley, The Law Offices of  
Cynthia J. Woolley, PLLC, Ketchum, ID, for Plaintiff-  
Appellee.

Matthew M. Collette, Robert Loeb, DOJ—U.S.  
Department of Justice, Washington, DC, for Defendant-  
Appellant.

On Remand from the United States Supreme Court. D.C.

**Footnotes**

<sup>1</sup> Judge Harry Pregerson was substituted for the late Judge David R. Thompson. See General Order 3.2(g).

No. CV-05-00093-EJL, District of Idaho, Boise.

Before: HARRY PREGERSON,<sup>1</sup>CARLOS T. BEA, and  
MILAN D. SMITH, JR., Circuit Judges.

**\*983 ORDER**

Pursuant to the Opinion of the Supreme Court in *Ashcroft*  
*v. al-Kidd*, — U.S. —, 131 S.Ct. 2074, 179 L.Ed.2d  
1149 (2011), the district court's denial of Defendant  
Ashcroft's motion to dismiss pursuant to Fed.R.Civ.P.  
12(b)(6) is REVERSED, and the matter is REMANDED  
for proceedings consistent with the Supreme Court's  
Opinion.

**All Citations**

653 F.3d 982 (Mem)