

FILED

OCT 29 2008

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIACLERK, U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

IN RE:

GUANTANAMO BAY DETAINEE
LITIGATION

SEALED

Misc. No. 08-mc-0442 (TFH)

Civil Action No. 05-cv-392 (ESH)

ORDER

Pending before the Court are (1) Petitioner Djamel Ameziane's (ISN 310) Emergency Motion For Temporary Restraining Order And Preliminary Injunction Barring Djamel Ameziane's Forcible Transfer To Algeria and (2) the government's Cross-Motion To Confirm Designation Of Notice Of Transfer And Related Documents And Information As "Protected." Upon review of the motions and the record herein, the Court

ORDERS that Petitioner's Motion is **GRANTED in part** and **DENIED in part**.

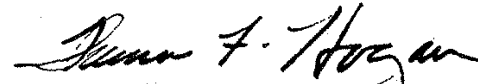
Specifically, finding it necessary to protect its jurisdiction over Petitioner's petition for a writ of habeas corpus, pursuant to its remedial authority under the All Writs Act, 28 U.S.C. § 1651, *see Belbacha v. Bush*, 520 F.3d 452 (D.C. Cir. 2008), the Court temporarily enjoins the government from transferring Petitioner from the United States Naval Base at Guantanamo Bay, Cuba, to Algeria pending the United States Court of Appeals for the District of Columbia Circuit's decision in *Kiyemba v. Bush*, No. 05-5487 (consolidated with Nos. 05-5488, 05-5489, 05-5490, and 05-5492). Additionally, Petitioner's Motion and all documents related thereto—including the attached exhibits, the government's opposition to Petitioner's Motion, the government's opposition to Petitioner's request to file the motion under seal, and the government's Cross-Motion—shall not be filed on the Court's public docket. The government,

however, is not prohibited from sharing information contained in such documents with representatives of Algeria. The Court further

ORDERS that the government's Cross-Motion is **GRANTED**. Specifically, finding that special precautions are necessary to protect the security of the United States and other significant interests, the following documents and information shall be treated as "protected" under the Protective Order entered in this matter on September 11, 2008, pending further order of the Court: (1) the government's Notice Pursuant To The Court's July 10, 2008 Order, filed under seal on October 9, 2008; (2) Petitioner's Motion; (3) the government's opposition to Petitioner's Motion; (4) the government's Cross-Motion; and (5) any other documents and information related to or derived from the government's Notice of October 9, 2008.

SO ORDERED.

October 28, 2008



Thomas F. Hogan
United States District Judge

Copies to:

Center for Constitutional Rights
J. Wells Dixon
Pardiss Kebriaei
666 Broadway, 7th Floor
New York, New York 10012
Tel: 212-614-6423

Joseph C. Folio III
Andrew I. Warden
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, DC 20530
Tel: 202-514-4107

United States District Court
For the District of Columbia

A TRUE COPY

NANCY MAYER WHITTINGTON, Clerk

By  Deputy Clerk

< 36 >