

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
ABU BAKKER QASSIM, <i>et al.</i> ,)	
)	
Petitioners,)	
)	
v.)	Civil Action No. 05-CV-0497 (JR)
)	
GEORGE W. BUSH, <i>et al.</i> ,)	
)	
Respondents.)	
_____)	

**RESPONDENTS’ OBJECTION TO ORDER SETTING CONFERENCE
REGARDING PETITIONER’S MOTION FOR AN ORDER
AMENDING COUNSEL ACCESS PROCEDURES**

Respondents hereby object to the Court’s January 27, 2006 Minute Order setting a mediation conference pertaining to petitioners’ motion to amend the counsel access procedures in this case (dkt. no. 42). The petition for writ of *habeas corpus* in this case was denied by the Court by final order on December 22, 2005 (dkt. no. 58), and petitioners have appealed to the D.C. Circuit, *see* dkt. no. 59. The district court, therefore, lacks jurisdiction to grant relief to petitioners based on petitioners’ motion. *See Princz v. Federal Republic of Germany*, 998 F.2d 1, 1 (D.C. Cir. 1993); *see also United States ex rel. Mitcham v. Washington*, No. 93 C 7360, 1994 WL 603851 at *1 (N.D. Ill. Nov. 2, 1994) (final judgment in *habeas* case rendered pending motions moot).

The Court also lacks jurisdiction to proceed in light of the Detainee Treatment Act of 2005, Pub. L. No. 109-148, tit. X, 119 Stat. 2680, which, among other things, amends 28 U.S.C. § 2241 to remove court jurisdiction to hear or consider applications for writs of *habeas corpus*

and other actions brought in this Court by or on behalf of aliens detained at Guantanamo Bay, Cuba.

Accordingly, respondents object to the Court's Minute order setting a mediation conference pertaining to petitioners' motion.

Dated: January 30, 2006

Respectfully submitted,

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