

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

_____)	
IN RE:)	
GUANTANAMO BAY)	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION)	
_____)	
AL-NASHIRI,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 08-1207 (RWR)
)	
BARACK OBAMA,)	
President of the United States, <i>et al.</i> ,)	
)	
Respondents.)	
_____)	

**WITHDRAWAL OF MOTION TO DISMISS HABEAS PETITION WITHOUT
PREJUDICE OR, ALTERNATIVELY, TO HOLD HABEAS PETITION IN ABEYANCE
PENDING COMPLETION OF MILITARY COMMISSION PROCEEDINGS**

On February 5, 2009, the Convening Authority for the Military Commissions withdrew without prejudice all charges and specifications sworn against Petitioner Abd Al-Rahim Hussain Mohammed Al-Nashiri. *See* Order of Convening Authority (Feb. 5, 2009) attached as Exhibit A. Accordingly, Respondents hereby withdraw their Motion to Dismiss Habeas Petition Without Prejudice or, Alternatively, to Hold Habeas Petition in Abeyance Pending Completion of Military Commission Proceedings (dkt. no. 84).

Date: February 11, 2009

Respectively submitted,

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