

Court of Appeals recently refused to review a pretrial ruling by the military appeals court reinstating charges against petitioner, emphasizing that there is “no substantial public interest at stake” in protecting petitioner from standing trial before the military commission. *Khadr v. United States*, 529 F.3d 1112, 1118 (2008). Further, Judge Robertson recently denied a motion filed by a Guantanamo Bay detainee to enjoin his military commission proceedings. *See Hamdan v. Gates*, 04-CV-1519 (JR), 2008 WL 2780911 (D.D.C. July 18, 2008).

To the extent petitioner contends that merit proceedings in his habeas case should proceed, the Court has directly addressed that issue in its July 11, 2008 Order, which exempted respondents from the need to proceed with the preparation of factual returns for petitioners who have been charged under the MCA.

For these reasons, petitioner’s motion for a status conference should be denied.

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Respectfully Submitted,

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