

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 25-1009

September Term, 2024

**CMCR-AE 955J / AE 956J / AE
957I**

Filed On: January 9, 2025

In re: United States of America,

Petitioner

BEFORE: Millett, Wilkins, and Rao, Circuit Judges

ORDER

Upon consideration of the petition for writ of mandamus; the emergency motion for stay, the responses thereto, and the reply; the motion to exceed the word limit; and the motion to intervene, it is

ORDERED that the motion to exceed the word limit be granted. The Clerk is directed to file the lodged response. It is

FURTHER ORDERED that the motion to intervene be dismissed as moot in light of the government's representation that it is not seeking a stay of proceedings with respect to Ammar al Baluchi. It is

FURTHER ORDERED that consideration of the motion for stay be consolidated with consideration of the petition for writ of mandamus. It is

FURTHER ORDERED that proceedings before the Military Commission concerning pretrial agreements entered into by Khalid Shaikh Mohammad, Walid bin 'Attash, and Mustafa al Hawsawi be administratively stayed pending further order of the court. The purpose of this administrative stay is to allow the court time to receive full briefing on the mandamus petition, to hear oral argument on an expedited basis, and to render a decision on the petition and stay motion. The administrative stay should not be construed in any way as a ruling on the merits of that petition or motion. See D.C. Circuit Handbook of Practice and Internal Procedures 33 (2024). It is

FURTHER ORDERED that any responses to the mandamus petition, not to exceed 7,800 words, be filed by 5:00 p.m. on January 17, 2025. See Fed. R. App. P. 21(b); D.C. Cir. Rule 21(a). Respondents are encouraged to coordinate and, if possible, to file a joint response. Petitioner may file a reply, not to exceed 3,900 words, by 5:00 p.m. on January 22, 2025. The parties should also file, by 5:00 p.m. on January 17, 2025, a joint appendix containing any transcripts and documents cited by the parties and not already submitted as attachments to the petition. The parties are

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directed to file eight paper copies of the petition, any responses, any reply, and the joint appendix. The copies must bear the appropriately colored covers. See Fed. R. App. P. 32. The parties will be informed later of the date and time of oral argument.

Per Curiam

FOR THE COURT:

Clifton B. Cislak, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk