

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

OMAR KHADR, et al.,

Petitioners,

v.

GEORGE W. BUSH, et al.,

Respondents.

Civil Action No. 04-1136 (JDB)

Misc. No. 08-0442 (TFH)

ORDER

Upon consideration of [208] petitioner's motion for judgment on the pleadings or, in the alternative, for summary judgment, and [214] respondents' cross-motion to dismiss petitioner's habeas case without prejudice or to hold the petition in abeyance pending the completion of military commission proceedings, the parties' several memoranda, the arguments advanced at the motions hearing held on October 30, 2008, the applicable law, and the entire record, and for the reasons explained in the accompanying Memorandum Opinion issued on this date, it is hereby

ORDERED that petitioner's motion for judgment on the pleadings or, in the alternative, for summary judgment is **DENIED**; it is further

ORDERED that respondents' cross-motion to dismiss petitioner's habeas case without prejudice is **DENIED**; it is further

ORDERED that respondents' cross-motion to hold the petition in abeyance pending the completion of military commission proceedings is **GRANTED**; it is further

ORDERED that this habeas case is **STAYED** to the extent that it raises issues that have been, will be, or can be raised in the military commission proceedings against petitioner and the

subsequent appeals process.

SO ORDERED.

/s/
JOHN D. BATES
United States District Judge

Dated: November 24, 2008