

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

DAVID M. HICKS,

Petitioner,

V.

Civil Action No. 1:02-CV-00299 (CKK)

GEORGE WALKER BUSH,
President of the United States,
et al.,

Respondents.

**RESPONDENTS' RESPONSE TO
THE COURT'S ORDER OF JULY 25, 2005**

Respondents hereby respond to the Court's July 25, 2005 minute order requiring that the government file a notice indicating whether petitioner is scheduled for trial by military commission in the near future.

In light of the recent decision of the D.C. Circuit in *Hamdan v. Rumsfeld*, No. 04-5393, 2005 WL 1653046 (D.C. Cir. July 15, 2005), preparations are underway to resume military commission proceedings, including the scheduling of the military commission trial against petitioner. Although respondents intend to commence those proceedings as soon as possible, because the commencement of the trial is subject to a number of factors, they are currently unable to provide a specific date regarding when that trial would begin. No trial of petitioner by military commission is currently scheduled, but respondents estimate that such a trial would not begin sooner than three weeks from today.

Dated: July 26, 2005

Respectfully submitted,

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