

FILED: August 8, 2002

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 02-6895  
(CA-02-439-2)

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YASER ESAM HAMDI; ESAM FOUAD HAMDI, as next  
friend of Yaser Esam Hamdi,

Petitioners - Appellees,

versus

DONALD RUMSFELD; W. R. PAULETTE, Commander,

Respondents - Appellants.

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O R D E R

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Appellees have filed a motion to dissolve this Court's stay order of June 14, 2002. Appellants have filed a response in opposition.

The mandate in Hamdi v. Rumsfeld, No. 02-6895, shall issue forthwith and the stay is dissolved in order that the district court may proceed in strict compliance with our July 12, 2002 decision. In that decision, we directed the court to consider "the most cautious procedures first, conscious of the prospect that the least drastic procedures may promptly resolve Hamdi's case and make more intrusive measures unnecessary." Hamdi v.

Rumsfeld, 2002 WL 1483908 (4th Cir. July 12, 2002). In accordance with the principles set forth in that opinion, the district court shall consider the sufficiency of the Mobbs declaration as an independent matter before proceeding further.

Entered at the direction of Chief Judge Wilkinson, with the concurrence of Judge Wilkins and Judge Traxler.

For the Court

/s/ Patricia S. Connor

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Clerk