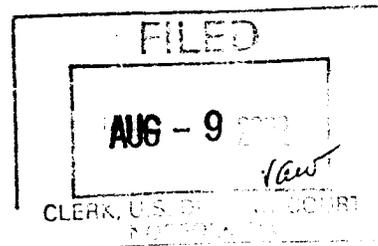


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION



**YASER ESAM HAMDI, and
ESAM FOUAD HAMDI,
As Next Friend of Yaser Esam Hamdi,**

Petitioners,

v.

CIVIL ACTION NO. 2:02cv439

**DONALD RUMSFELD, and
COMMANDER W.R. PAULETTE,**

Respondents.

ORDER

The United States Court of Appeals for the Fourth Circuit has issued its mandate in this case as of an Order filed on August 8, 2002, and further required that this Court "shall consider the sufficiency of the Mobbs declaration as an independent matter before proceeding further." This would seem to indicate that the prior orders of this Court requiring documentation are in abeyance unless this Court determines that the Mobbs declaration is insufficient. This Court will give due deference to what the executive branch has to say about the reasons for Hamdi's confinement.

Accordingly, this matter is hereby set for a hearing on August 13, 2002, at 11 a.m., for argument on the sufficiency of the Mobbs declaration.

The Clerk of the Court is **DIRECTED** to forward copies of this Order, both by fax and by U.S. mail, to all counsel of record, to the United States Court of Appeals for the Fourth Circuit, and to Yaser Esam Hamdi.

IT IS SO ORDERED.

/S/ Robert G. Doumar

UNITED STATES DISTRICT JUDGE

Norfolk, Virginia

August 9, 2002

38