

**08-1234 KIYEMBA V. OBAMA**

DECISION BELOW: 581 F. Supp.2d 33

LOWER COURT CASE NUMBER: 08-5424

**QUESTION PRESENTED:**

Whether a federal court exercising its habeas jurisdiction, as confirmed by *Boumediene v. Bush*, 553 U.S. \_\_\_\_, 128 S. Ct. 2229 (2008), has no power to order the release of prisoners held by the Executive for seven years, where the Executive detention is indefinite and without authorization in law, and release into the continental United States is the only possible effective remedy.

**ORDER OF 2/12/2010: THE PARTIES ARE DIRECTED TO FILE LETTER BRIEFS ADDRESSING THE FOLLOWING QUESTION: WHAT SHOULD BE THE EFFECT, IF ANY, OF THE DEVELOPMENTS DISCUSSED IN THE LETTERS SUBMITTED BY THE PARTIES ON FEBRUARY 3 AND 5 ON THE COURT'S GRANT OF CERTIORARI IN THIS CASE?**

**CERT. GRANTED 10/20/2009**