

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-5265

September Term, 2009
FILED ON: MAY 21, 2010

FADI AL MAQALEH, DETAINEE AND AHMAD AL MAQALEH, AS NEXT FRIEND OF FADI AL MAQALEH,
APPELLEES

v.

ROBERT M. GATES, SECRETARY, UNITED STATES DEPARTMENT OF DEFENSE, ET AL.,
APPELLANTS

Consolidated with 09-5266, 09-5267

Appeals from the United States District Court
for the District of Columbia
(No. 1:06-cv-01669-JDB)

Before: SENTELLE, *Chief Judge*, TATEL, *Circuit Judge*, and EDWARDS, *Senior Circuit Judge*

J U D G M E N T

These causes came on to be heard on the record on appeal from the United States District Court for the District of Columbia and were argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the order of the District Court denying the motion for dismissal of the United States be reversed and that the petitions be dismissed for lack of jurisdiction, in accordance with the opinion of the court filed herein this date.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail
Deputy Clerk

Date: May 21, 2010
Opinion for the court filed by Chief Judge Sentelle.