

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

EDHAM MAMET,

and

IBRAHIM MAMET, as Next Friend of EDHAM  
MAMET,

Petitioner/Plaintiff,

v.

GEORGE W. BUSH, *et al.*,

Respondents/Defendants.

Case No. 1:05-cv-01602-ESH

**NOTICE OF CROSS-APPEAL**

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Pursuant to Fed. R. App. P. 3 and 4(a)(3), Petitioner hereby notices his cross-appeal to the United States Court of Appeals for the District of Columbia Circuit of so much of the Court's Memorandum Order dated September 30, 2005, as grants a stay of pretrial proceedings in these *habeas corpus* proceedings. The portion of the Order appealed from violates the mandate of the Supreme Court of the United States in *Rasul v. Bush*, 542 U.S. 466 (2004), 124 S. Ct. 2686, 2698-99 (2004), that the district courts "consider in the first instance the merits" of the allegations raised by Petitioner, who is illegally held by Respondents at Guantánamo Bay, Cuba.

Dated: November 29, 2005



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Sabin Willett  
Neil G. McGaraghan  
Jason S. Pinney  
BINGHAM McCUTCHEN LLP  
150 Federal Street  
Boston, MA 02110-1726  
Telephone: (617) 951-8000  
Facsimile: (617) 951-8925

Susan Baker Manning  
BINGHAM McCUTCHEN LLP  
1120 20th Street NW, Suite 800  
Washington, DC 20036  
Telephone: (202) 778-6150  
Facsimile: (202) 778-6155

Barbara Olshansky  
Deputy Director  
CENTER FOR CONSTITUTIONAL RIGHTS  
666 Broadway, 7th Floor  
New York, NY 10012  
Telephone: (212) 614-6439