

**MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA**

UNITED STATES OF AMERICA

v.

KHALID SHAIKH MOHAMMAD, WALID
MUHAMMAD SALIH MUBARAK BIN
'ATTASH, RAMZI BIN AL SHIBH, ALI
ABDUL-AZIZ ALI, MUSTAFA AHMED
ADAM AL HAWSAWI

AE 595R (KSM)

Mr. Mohammad's Notice
of Filing Petition for Writ of
Mandamus and Motion for Stay in the
United States Circuit Court of Appeals
for the D.C. Circuit

22 January 2019

1. **Timeliness:** This notice is timely filed.
2. **Notice:** Mr. Mohammad hereby provides notice to the Military Commission that, on 18 January 2019, he filed a Petition for Writ of Mandamus and a Motion for Stay of Proceedings in the United States Circuit Court of Appeals for the D.C. Circuit.
3. **Attachments:**
 - A. Certificate of Service.
 - B. Order by the United States Circuit Court of Appeals for the D.C. Circuit in Case No. 19-1012.

Respectfully submitted,

//s//
DAVID Z. NEVIN
Learned Counsel

//s//
GARY D. SOWARDS
Defense Counsel

//s//
DEREK A. POTEET
LtCol, USMC
Defense Counsel

//s//
RITA J. RADOSTITZ
Defense Counsel

Counsel for Mr. Mohammad

ATTACHMENT A

CERTIFICATE OF SERVICE

I certify that on the 22nd of January 2019, I electronically filed AE 595R (KSM), Mr. Mohammad's Notice of Filing of Petition for Writ of Mandamus and Motion for Stay in the United States Circuit Court of Appeals for the D.C. Circuit, with the Clerk of Court and served the foregoing on all counsel of record by electronic mail.

//s//
DAVID Z. NEVIN
Learned Counsel

ATTACHMENT B

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-1012

September Term, 2018

CMCR-18-004

Filed On: January 19, 2019

In re: Khalid Shaikh Mohammad,

Petitioner

BEFORE: Henderson, Rogers, and Wilkins, Circuit Judges

ORDER

Upon consideration of the petition for a writ of mandamus, the motion for leave to proceed in forma pauperis, and the motion for stay, it is

ORDERED that the motion for leave to proceed in forma pauperis be granted. It is

FURTHER ORDERED, on the court's own motion, that respondent the United States of America file a response to the motion for stay by 5:00 p.m. on Wednesday, January 23, 2019. Any reply is due by noon on Thursday, January 24, 2019. The parties are directed to hand-deliver paper copies of their submissions to the court by the time and date due. It is

FURTHER ORDERED, on the court's own motion, that respondent the United States of America file a response to the petition for a writ of mandamus within 30 days of the date of this order. See Fed. R. App. P. 21(b)(1); D.C. Cir. Rule 21(a). The response is not to exceed 7,800 words. Petitioner may file a reply, not to exceed 3,900 words, within 15 days of the filing of the response.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Lynda M. Flippin
Deputy Clerk