

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

UNITED STATES OF AMERICA

v.

**KHALID SHAIKH MOHAMMAD;
WALID MUHAMMAD SALIH
MUBARAK BIN 'ATTASH;
RAMZI BINALSHIBH;
ALI ABDUL AZIZ ALI;
MUSTAFA AHMED ADAM
AL HAWSAWI**

AE 595U (GOV)

Government Notice
Of Order by United States Court of Appeals
For The District of Columbia Circuit

28 January 2019

1. Timeliness

This Notice is timely filed.

2. Notice

The Prosecution hereby provides notice to the Military Commission of an order issued by the United States Court of Appeals for the District of Columbia Circuit on 25 January 2019.

3. Attachments

- A. Certificate of Service, dated 28 January 2019.
- B. Order, *In re. Khalid Shaikh Mohammad*, dated 25 January 2019.

Respectfully submitted,

//s//

Clay Trivett
Managing Trial Counsel

Christopher Dykstra
Major, USAF
Assistant Trial Counsel

Mark Martins
Chief Prosecutor
Military Commissions

ATTACHMENT A

CERTIFICATE OF SERVICE

I certify that on the 28th day of January 2019, I filed AE 595U (GOV), Government Notice Of Order by United States Court of Appeals For The District of Columbia Circuit, with the Office of Military Commissions Trial Judiciary and I served a copy on counsel of record.

//s//
Christopher Dykstra
Major, USAF
Assistant Trial 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 25, 2019

In re: Khalid Shaikh Mohammad,

Petitioner

BEFORE: Henderson, Rogers, and Wilkins, Circuit Judges

ORDER

Upon consideration of the motion for stay, the response thereto, and the reply; and the motions filed by Mustafa Al Hawsawi to proceed in forma pauperis and to join the motion for stay and the petition for a writ of mandamus, it is

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

FURTHER ORDERED that the motion to join be granted. It is

FURTHER ORDERED that the motion for stay be denied. Petitioner has not satisfied the stringent requirements for a stay pending this court's consideration of the petition for a writ of mandamus. See *Nken v. Holder*, 556 U.S. 418, 434 (2009); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2018).

Per Curiam