

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 06-5394**

**September Term 2008**

**05cv02378**

**Filed On:** October 3, 2008

Abdul Hamid Abdul Salam Al-Ghizzawi,  
Detainee, Guantanamo Bay Naval Station,

Appellant

v.

George W. Bush, President of the United  
States, et al.,

Appellees

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**No. 08-5136**

**05-cv-02378**

Abdul Hamid Abdul Salam Al-Ghizzawi,  
Detainee, Guantanamo Bay Naval Station,

Appellant

v.

Robert M. Gates, Secretary, United States  
Department of Defense, et al.,

Appellees

**BEFORE:** Ginsburg, Tatel, and Griffith, Circuit Judges

## ORDER

Upon consideration of the unopposed motion to consolidate Nos. 06-5394 and 08-5136; the motion to hold the appeals in abeyance or in the alternative to set a briefing schedule, the response thereto, and the reply; the motion for injunction to maintain status quo, which contains a request for summary reversal of the district court's decisions, the response thereto, and the reply, which opposes further briefing on the merits; and appellees' motion for summary affirmance filed January 16, 2007, in No. 06-5394, the response thereto, and the reply, consideration of which was deferred by order entered March 14, 2007, it is

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**ORDERED** that the district court's orders filed October 2, 2006, November 2, 2006, and April 8, 2008, be summarily affirmed. The merits of the parties' positions are so clear as to warrant summary action. See Taxpayers Watchdog, Inc. v. Stanley, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam). The district court properly denied appellant's successive motions for preliminary injunctive relief on the grounds that appellant had not demonstrated a likelihood of success on the merits, particularly in view of the unresolved jurisdictional questions posed by his claims; or that he would suffer irreparable harm if his motions were denied. No. 05-2378, 2006 WL 2844781 (D.D.C. Oct. 2, 2006); 2008 WL 948337 (D.D.C. Apr. 8, 2008). Nor did the district court abuse its discretion in denying reconsideration of the October 2006 order. See Firestone v. Firestone, 76 F.3d 1205, 1208 (D.C. Cir. 1996). It is

**FURTHER ORDERED** that the motion for injunction pending appeal and the motion to consolidate the above-captioned appeals be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate in Nos. 06-5394 and 08-5136 until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

## Per Curiam

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Lynda M. Flippin  
Deputy Clerk