

military commissions for purposes of section 949a(d) of title 10, United States Code (as so amended).

Consequently, revised rules for military commissions may take effect upon promulgation by the Secretary of Defense. Nevertheless, Appellee continues to assert the wisdom of a 90-day stay in this case, in order to permit the Secretary sufficient time to prepare and promulgate revised rules.

Respectfully submitted,

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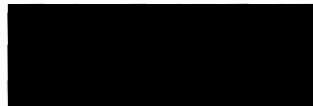


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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was sent by electronic mail to Mr. Michel Paradis, detailed appellate defense counsel, on this 16th day of October, 2009.



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