

07-394 GEREN V. OMAR

DECISION BELOW:479 F3d 1

LOWER COURT CASE NUMBER: 06-5126

QUESTIONS PRESENTED:

Respondent, a dual American-Jordanian citizen, voluntarily traveled to Iraq, allegedly committed serious crimes there, was captured in an active combat zone by members of an international military force (the Multinational Force-Iraq), and is being held under international authority by United States military personnel acting as part of that international military coalition and at the request of the Iraqi government. The questions presented are as follows:

1. Whether the United States courts have jurisdiction to entertain a habeas corpus petition filed on behalf of an individual such as respondent challenging his detention by the multinational force.
2. Whether, if such jurisdiction exists, the district court had the power to enjoin the multinational force from releasing respondent to Iraqi custody or allowing respondent to be tried before the Iraqi courts.

CERT. GRANTED 12/7/2007

CONSOLIDATED WITH 06-1666 FOR ONE HOUR ORAL ARGUMENT