

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION

FILED

JUN 23 2003

JOHN M. WATERS, Clerk
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

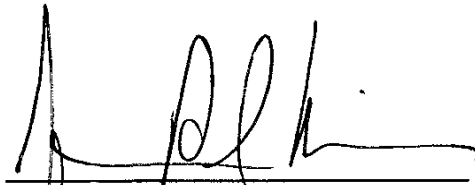
UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
)
v.)
)
ALI SALEH KAHLAH AL-MARRI,)
A/K/A "ABDULAKAREEM A. ALMUSLAM")
)
Defendant.)

Criminal No. 03-10044

MOTION TO DISMISS

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States of America, by and through Jan Paul Miller, United States Attorney for the Central District of Illinois, requests leave of court to dismiss the Indictment pending against the defendant in the above-captioned case, ^{with prejudice.} ~~without prejudice.~~ As reasons for said dismissal, the United States submits that the President of the United States has determined that the defendant is an enemy combatant. As a result, the interests of national security require that this case be dismissed and that the defendant be transferred to military control.

Date: June 23, 2003



Jan Paul Miller
United States Attorney

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UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

ALI SALEH KAHLAH AL-MARRI,)

A/K/A "ABDULAKAREEM A. ALMUSLAM")

Defendant.)

Criminal No. 03-10044

ORDER OF DISMISSAL

This matter comes before the Court on the government's Motion to Dismiss. The Court, having considered the grounds stated in the motion, finds that valid reasons exist for the dismissal of the Indictment in this case and that the motion should be granted.

IT IS THEREFORE ORDERED that the seven count Indictment in this case is dismissed

with
~~with~~ prejudice.
mmm

ENTERED: June 23,2003

Michael M. Mihm
Michael M. Mihm
United States District Court Judge

THE WHITE HOUSE

WASHINGTON

TO THE SECRETARY OF DEFENSE AND THE ATTORNEY GENERAL:

Based on the information available to me from all sources,

FILED

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JOHN M. WATERS, Clerk
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

REDACTED

In accordance with the Constitution and consistent with the laws of the United States, including the Authorization for Use of Military Force Joint Resolution (Public Law 107-40);

I, GEORGE W. BUSH, as President of the United States and Commander in Chief of the U.S. armed forces, hereby DETERMINE for the United States of America that:

- (1) Ali Saleh Kahlah al-Marri, who is under the control of the Department of Justice, is, and at the time he entered the United States in September 2001 was, an enemy combatant;
- (2) Mr. al-Marri is closely associated with al Qaeda, an international terrorist organization with which the United States is at war;
- (3) Mr. al-Marri engaged in conduct that constituted hostile and war-like acts, including conduct in preparation for acts of international terrorism that had the aim to cause injury to or adverse effects on the United States;
- (4) Mr. al-Marri possesses intelligence, including intelligence about personnel and activities of al Qaeda that, if communicated to the U.S., would aid U.S. efforts to prevent attacks by al Qaeda on the United States or its armed forces, other governmental personnel, or citizens;
- (5) Mr. al-Marri represents a continuing, present, and grave danger to the national security of the United States, and detention of Mr. al-Marri is necessary to prevent him from aiding al Qaeda in its efforts to attack the United States or its armed forces, other governmental personnel, or citizens;
- (6) it is in the interest of the United States that the Secretary of Defense detain Mr. al-Marri as an enemy combatant; and
- (7) it is, REDACTED consistent with U.S. law and the laws of war for the Secretary of Defense to detain Mr. al-Marri as an enemy combatant.

Accordingly, the Attorney General is directed to surrender Mr. al-Marri to the Secretary of Defense, and the Secretary of Defense is directed to receive Mr. al-Marri from the Department of Justice and to detain him as an enemy combatant.

DATE: 
White House Office-controlled Document

6/23/03

