

No. 10-98

Title: John D. Ashcroft, Petitioner

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Abdullah al-Kidd

Docketed: July 19, 2010

Linked with 09A1186

Lower Ct: United States Court of Appeals for the Ninth Circuit

Case Nos.: (06-36059)

Decision Date: September 4, 2009

January 21, 2011.

Rehearing Denied: March 18, 2010

Questions Presented

| ~~~Date~~~ | ~~~~Proceedings and Orders~~~~~~~~~~~ |
|-------------|---|
| Jun 4 2010 | Application (09A1186) to extend the time to file a petition for a writ of certiorari from June 16, 2010 to July 16, 2010, submitted to Justice Kennedy. |
| Jun 7 2010 | Application (09A1186) granted by Justice Kennedy extending the time to file until July 16, 2010. |
| Jul 16 2010 | Petition for a writ of certiorari filed. (Response due August 18, 2010) |
| Jul 23 2010 | Brief amicus curiae of Wesley MacNeil Oliver filed. |
| Jul 28 2010 | Order extending time to file response to petition to and including September 17, 2010. |
| Aug 18 2010 | Brief amici curiae of William P. Barr, et al. filed. |
| Sep 17 2010 | Brief of respondent Abdullah al-Kidd in opposition filed. |
| Sep 29 2010 | DISTRIBUTED for Conference of October 15, 2010. |
| Sep 29 2010 | Reply of petitioner John D. Ashcroft filed. (Distributed) |
| Oct 18 2010 | Petition GRANTED limited to Questions 1 and 2 presented by the petition. Justice Kagan took no part in the consideration or decision of this petition. |
| Nov 3 2010 | The time to file the joint appendix and petitioner's brief on the merits is extended to and including December 13, 2010. |
| Nov 3 2010 | The time to file respondent's brief on the merits is extended to and including |

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| Dec 13 2010 | Joint appendix filed. (St | atement of costs filed.) | | |
|--|--|---|---------------------------------|--|
| Dec 13 2010 | Brief of petitioner John D. Ashcroft filed. | | | |
| Dec 13 2010 | Brief amicus curiae of V | Vesley MacNeil Oliver filed. | | |
| Dec 20 2010 | Brief amicus curiae of V | Villiam P. Barr, et al. filed. | | |
| Dec 23 2010 | SET FOR ARGUMENT | ON Wednesday, March 2, 2011. | | |
| Jan 3 2011 | CIRCULATED. | | | |
| Jan 21 2011 | Brief of respondent Abdullah al-Kidd filed. Reprinted. (Distributed) Record received from U.S. Court of Appeals for Ninth Circuit. (1 envelope) | | | |
| Jan 24 2011 | | | | |
| Jan 24 2011 | Record from U.S.D.C. for | or the District of Idaho is electronic. | | |
| Jan 28 2011 | Brief amicus curiae of The Constitution Project filed. (Distributed) | | | |
| Jan 28 2011 | gal History and Criminal Procedure Law Pro | ofessors | | |
| Jan 28 2011 | 11 Brief amici curiae of Legal Scholars filed. (Distributed) 11 Brief amicus curiae of Center for Justice and Accountability filed. (Distributed) 11 Brief amicus curiae of Former Federal Prosecutors filed. (Distributed) 11 Brief amici curiae of Human Rights Watch, and National Association of Criminal Defense Lawyers filed. (Distributed) | | | |
| Jan 28 2011 | | | | |
| Jan 28 2011 | | | | |
| Jan 28 2011 | | | | |
| Feb 22 2011 | Reply of petitioner John | D. Ashcroft filed. (Distributed) | . Ashcroft filed. (Distributed) | |
| Mar 2 2011 | Argued. For petitioner: Neal Kumar Katyal, Acting Solicitor General, Department of Justice, Washington, D. C. For respondent: Lee Gelernt, New York, N. Y. | | | |
| May 31 2011 Judgment REVERSED and case REMANDED. Scalia, J., delivered the opinion of the Court, in which Roberts, C. J., and Kennedy, Thomas, and Alito, JJ., joined. Kennedy, J., filed a concurring opinion, in which Ginsburg, Breyer, and Sotomayor, JJ., joined as to Part I. Ginsburg, J., filed an opinion concurring in the judgment, in which Breyer and Sotomayor, JJ., joined. Sotomayor, J., filed an opinion concurring in the judgment, in which Ginsburg and Breyer, JJ., joined. Kagan, J., took no part in the cosideration or decision of the case. | | | | |
| Jul 5 2011 | JUDGMENT ISSUED. | | | |
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