

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
SIMS, JOHNSON, and COOK
Appellate Military Judges

Major NIDAL M. HASAN, Petitioner

v.

**THE UNITED STATES OF AMERICA
and Colonel GREGORY A. GROSS,
Military Judge, Respondents**

ARMY MISC 20120599

Headquarters, III Corps and Fort Hood
Colonel Stuart W. Risch, Staff Judge Advocate

For Petitioner: Major Christopher Martin, JA. Captain Kristin McGrory, JA.

For Respondents: No response filed.

22 June 2012

SUMMARY DISPOSITION ON
PETITION FOR EXTRAORDINARY RELIEF

Per Curiam:

This matter is before us as a result of a petition for extraordinary relief filed by petitioner pursuant to the All Writs Act, 28 U.S.C. § 1651(a) (2006). In a Petition for Relief in the Nature of an Extraordinary Writ and Application for Stay of Proceedings, petitioner asks this court to “grant extraordinary relief by: (1) staying the trial proceedings pending a decision of this Court on the petition, and (2) issue a Writ ordering the military judge to revoke his order removing Petitioner from the proceedings.”

As of the current date, petitioner’s court-martial proceedings have consisted solely of sessions conducted in accordance with Article 39(a), Uniform Code of Military Justice, 10 U.S.C. §839 and Rule for Courts-Martial 804(b).

Under the facts presented by petitioner to this court, both the Petition for Relief in the Nature of an Extraordinary Writ and Application for Stay of

HASAN – ARMY MISC 20120599

Proceedings are hereby denied without prejudice to petitioner's ability to file a similar petition at a later stage of the proceedings.



FOR THE COURT:

A handwritten signature in black ink, which appears to read "Malcolm H. Squires, Jr.", is written over the typed name.

MALCOLM H. SQUIRES, JR.
Clerk of Court