

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

COREY D. MARTIN,

Petitioner,

-v-

5:06-CV-312

SECRETARY OF THE ARMY and COMMANDER,
10th MOUNTAIN DIVISION (LI), Fort Drum, New
York,

Respondents.

DAVID N. HURD
United States District Judge

ORDER TO SHOW CAUSE
and
TEMPORARY RESTRAINING ORDER

On the motion of Petitioner for and Order requiring Respondents to Show Cause why an Order should not be granted herein pursuant to Rule 65 of the Federal Rules of Civil Procedure, enjoining Respondents, pending further and final hearing and determination of this action, from deploying Petitioner to Afghanistan or any other region of military conflict, upon the reading and filing of the Verified Petition for Writ of Habeas Corpus and Other Relief, and upon the Declaration of Deborah H. Karpatkin, dated March 10, 2006 and the Exhibits thereto, and due deliberation having been had and good cause appearing,

IT IS ORDERED, that Respondents appear before this Court in the United States Courthouse in Utica, New York, at 10:00 a.m. on March 21, 2006, and show cause why an Order should not be granted herein pursuant to Rule 65 of the Federal Rules of Civil Procedure, enjoining Respondents, pending final hearing and determination of this action,

from deploying Petitioner to Afghanistan or to any other region of military conflict until such time as his application for a status as a Conscientious Objector has been finally determined.

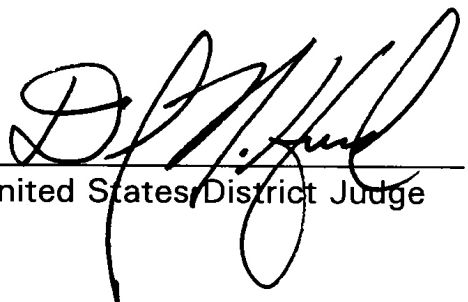
IT IS FURTHER ORDERED, that until such time that counsel can be heard on this Order to Show Cause, Respondents take no action to deploy Petitioner to Afghanistan or to any other region of military conflict;

IT IS FURTHER ORDERED, that service of a copy of the supporting papers and the proposed Order upon the United States Attorneys' Office for the Northern District of New York, effected on March 10, 2006, constitutes sufficient notice hereof.

IT IS FURTHER ORDERED that any request for an evidentiary hearing be made by 12:00 noon on March 16, 2006, including a basis for such request, a list of proposed witnesses, and a brief summary of such witnesses' testimony.

IT IS FURTHER ORDERED, that Opposition papers shall be filed and served by Respondents upon Petitioner's counsel on or before 12:00 noon on March 17, 2006.

IT IS SO ORDERED.



United States District Judge

Time: 6:20 p.m.
Dated: March 10, 2006
Utica, New York.