

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

AMERICAN CIVIL LIBERTIES UNION, et al.,
Plaintiffs,

Criminal No. 06-10204
Hon. Anna Diggs Taylor

v.

NATIONAL SECURITY AGENCY/CENTRAL
SECURITY SERVICE, et al.,
Defendants,

ORDER DISMISSING CASE

Plaintiff filed the complaint in this action on January 17, 2006. On March 9, 2006, Plaintiffs filed a motion for partial summary judgment. On May 26, 2006, Defendants filed a motion to dismiss, or, in the alternative for summary judgment. Oral arguments were held on July 10, 2006 and the matter was taken under advisement. On August 17, 2006, this court issued a Memorandum Opinion and Order denying Defendants' motion to dismiss on all claims except the data mining claim and granting the Plaintiffs' motion for partial summary judgment. On August 17, 2006, Defendants filed a notice of appeal. On August 24, 2006, Plaintiffs filed a notice of appeal. On July 9, 2007, the Appeal Judgment was issued from the Sixth Circuit Court of Appeals remanding the case to this court with instructions to dismiss for lack of jurisdiction. On September 4, 2007, the Mandate was issued by the Court of Appeals.

Pursuant to the order of the Sixth Circuit Court of Appeals,

IT IS ORDERED that this case is DISMISSED FOR LACK OF JURISDICTION.

IT IS SO ORDERED.

DATED: November 28, 2007

s/Anna Diggs Taylor
ANNA DIGGS TAYLOR
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order of Dismissal was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on November 28, 2007.

s/Johnetta M. Curry-Williams
Case Manager