

**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

ZAYN AL-ABIDIN MUHAMMAD  
HUSAYN; JOSEPH MARGULIES,  
*Petitioners-Appellants,*

v.

JAMES ELMER MITCHELL; JOHN  
JESSEN,  
*Respondents,*

UNITED STATES OF AMERICA,  
*Intervenor-Appellee.*

No. 18-35218

D.C. No.  
2:17-cv-00171-  
JLQ

ORDER

On Remand from the United States Supreme Court

Filed April 25, 2022

Before: Richard A. Paez, Circuit Judge, and  
Dean D. Pregerson, \* District Judge.

Order

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\* The Honorable Dean D. Pregerson, United States District Judge for the Central District of California, sitting by designation.

**COUNSEL**

David F. Klein and John Chamberlain, Pillsbury Winthrop Shaw Pittman LLP, Washington, D.C.; Jerry Moberg, Jerry Moberg & Associates, Ephrata, Washington; for Petitioners-Appellants.

H. Thomas Byron III and Catherine H. Dorsey, Appellate Staff; Joseph H. Harrington, United States Attorney; Civil Division, United States Department of Justice, Washington, D.C.; for Intervenor-Appellee.

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**ORDER**

On March 3, 2022, the Supreme Court issued its opinion in this case, reversing our prior judgment in *Husayn v. Mitchell*, 938 F.3d 1123 (9th Cir. 2019). *See United States v. Zubaydah*, 142 S. Ct. 959 (2022). As directed by the Supreme Court, the district court's judgment dismissing Petitioner-Appellants' application for discovery under 28 U.S.C. § 1782 is **AFFIRMED**.