

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

February 12, 2014

By the Court:

UNITED STATES OF AMERICA, Plaintiff-Appellant,] Appeal from the United
] States District Court for
] the Northern District of
No. 14-1284	v.] Illinois, Eastern Division.
]
ADEL DAOUD, Defendant-Appellee.] No. 1:12-cr-00723
]
] Sharon Johnson Coleman, Judge.

ORDER

A preliminary review of the short record indicates that the order appealed from may not be an appealable order.

Section 3731 of Title 18, United States Code, permits the United States to appeal certain rulings in a criminal case. The district court's order of January 29, 2014, compelling disclosure of Foreign Intelligence Surveillance Act application materials to defense counsel having the necessary clearance, does not appear to fit within the statute's list of orders that the government can appeal. Accordingly,

IT IS ORDERED that both plaintiff-appellant United States and defendant-appellee Abel Doud shall file, on or before February 19, 2014, a brief memorandum stating why this appeal should not be dismissed for lack of jurisdiction. A motion for voluntary dismissal pursuant to Fed. R. App. P. 42(b) will satisfy this requirement. Briefing shall be suspended pending further court order.

NOTE: Caption document "JURISDICTIONAL MEMORANDUM." The filing of a Circuit Rule 3(c) Docketing Statement does not satisfy your obligation under this order.