

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NOV 02 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: UNITED STATES OF AMERICA;
et al.,

UNITED STATES OF AMERICA; et al.,

Petitioners,

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON,
EUGENE,

Respondent,

KELSEY CASCADIA ROSE JULIANA;
et al.,

Real Parties in Interest.

No. 18-72776

D.C. No. 6:15-cv-01517-AA
District of Oregon,
Eugene

ORDER

Before: THOMAS, Chief Judge, and BERZON and FRIEDLAND, Circuit Judges.

The government filed with us on October 12, 2018, a document entitled "Petition for Writ of Mandamus Requesting a Stay of District Court Proceedings Pending Supreme Court Review." As the title indicates, no substantive Petition for Writ of Mandamus or other substantive pleading was filed with us. The only request was that although nothing substantive was or would be pending before us,

we stay the trial, scheduled to begin on October 29, 2018, "[t]o assure that the Supreme Court has adequate time to consider the government's request for relief."

The government filed a request for a stay and a substantive Petition for Writ of Mandamus with the Supreme Court. Although we have not been so informed by the government, Chief Justice Roberts issued a temporary stay of the start of the trial, and the Court is now considering the government's requests. *In re United States, et al.*, No. 18A410 (October 19, 2018). Given the issuance of the temporary stay order and the fact that there is no request before us other than for a stay pending Supreme Court consideration, Petitioner's non-substantive emergency motion for a stay is DENIED as moot. We request that, in the future, the government promptly inform this Court of developments affecting its pending motions.