

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-1425

September Term 2010

EPA-75FR82430

Filed On: January 12, 2011

State of Texas, et al.,
Petitioners

v.

Environmental Protection Agency,
Respondent

BEFORE: Ginsburg, Rogers, and Griffith, Circuit Judges

ORDER

Upon consideration of the emergency motion for stay, the responses thereto, and the reply; and the motion for leave to participate as amici curiae and to file a response to emergency motion for stay and the lodged response, the opposition thereto, and the notice of consent to motion, it is

ORDERED that the motion for leave to participate as amici curiae be granted. It is

FURTHER ORDERED that amici's motion for leave to file a response be denied. Neither the Federal nor the D.C. Circuit Rules provide for amici to file or respond to motions. Cf. United States v. Michigan, 940 F.2d 143, 164-66 (6th Cir. 1991) (observing that courts have recognized the "very limited" adversarial role of amici curiae, but have "consistently precluded" amici from filing pleadings). It is

FURTHER ORDERED, on the court's own motion, that the administrative stay entered on December 30, 2010, be dissolved. It is

FURTHER ORDERED that the motion for stay be denied. Petitioners have not satisfied the stringent standards required for a stay pending court review. See Washington Metro. Area Transit Comm'n v. Holiday Tours, Inc., 559 F.2d 841, 843 (D.C. Cir. 1977); D.C. Circuit Handbook of Practice and Internal Procedures 32 (2010).

Per Curiam