

FILED

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

AUG 5 2024

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Nos. 23-35440, 23-35450

Plaintiff-Appellee,

v.

D.C. No. 1:22-cv-00329-BLW

STATE OF IDAHO,

District of Idaho,

Boise

Defendant-Appellant,

ORDER

v.

MIKE MOYLE, Speaker of the Idaho House
of Representatives; CHUCK WINDER,
President Pro Tempore of the Idaho Senate;
THE SIXTY-SEVENTH IDAHO
LEGISLATURE, Proposed Intervenor-
Defendants,

Movants-Appellants.

MURGUIA, Chief Judge:

On June 27, 2024, the Supreme Court dismissed the writs of certiorari before judgment as improvidently granted and vacated its stays of the district court's preliminary injunction. *Moyle v. United States*, 603 U.S. ___, 144 S. Ct. 2015 (2024). The parties are directed to file replacement briefs according to the following schedule: Appellants' replacement opening briefs are due on September

13, 2024. Appellee's replacement consolidated answering brief is due on October 15, 2024. Appellants' optional replacement reply briefs are due within 21 days after service of the replacement consolidated answering brief.

Any amicus curiae supporting the position of Appellants or not supporting either party must serve its brief, along with any necessary motion, no later than September 20, 2024. Any amicus curiae supporting the position of Appellee must serve its brief, along with any necessary motion, no later than October 22, 2024.

En banc oral argument will take place during the week of December 9, 2024, in Pasadena, California. The date and time will be determined by separate order. For further information or special requests regarding scheduling, please contact Deputy Clerk Paul Keller at paul_keller@ca9.uscourts.gov or (206) 224-2236.