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December 9, 2019

VIA CM/ECF

Catherine O'Hagan Wolfe, Clerk of Court
U.S. Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

RE: *State of New York v. USDHS*, No. 19-3591 (2d Cir.)

Dear Ms. Wolfe:

The government's motion for a stay of the district court's injunction pending appeal, filed November 15, 2019, is fully briefed. We are writing to inform the Court that the Fourth Circuit has granted the government's motion for a stay pending appeal of a nationwide injunction issued by a district court in Maryland against the same Rule. The Fourth Circuit's order is attached.

The Fourth Circuit now joins the Ninth Circuit in entering a stay of district court orders preliminarily enjoining implementation of the Rule. This Court should do the same. At a minimum, the Fourth and Ninth Circuit's rulings highlight the inequity inherent in the issuance of an injunction that extends beyond what is necessary to redress the plaintiffs' alleged injuries. The injunction at issue in this case continues to govern within the Ninth and Fourth Circuits, even though both courts have concluded that the Rule should be permitted to take effect.

Sincerely,

s/ Gerard Sinzdak
Gerard Sinzdak
Attorney for the United States

cc (via CM/ECF): Counsel of Record

FILED: December 9, 2019

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-2222
(8:19-cv-02715-PWG)

CASA DE MARYLAND, INC.; ANGEL AGUILUZ; MONICA CAMACHO
PEREZ

Plaintiffs - Appellees

v.

DONALD J. TRUMP, in his official capacity as President of the United States;
CHAD WOLF, in his official capacity as Acting Secretary of Homeland Security;
U.S. DEPARTMENT OF HOMELAND SECURITY; KENNETH T.
CUCCINELLI, II, in his official capacity as Acting Director, U.S. Citizenship and
Immigration Services; U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Defendants - Appellants

ORDER

Upon consideration of submissions relative to appellants' motion for a stay pending appeal, the court grants the motion.

Judge Wilkinson and Judge Niemeyer voted to grant the motion. Judge Harris

voted to deny.

For the Court

/s/ Patricia S. Connor, Clerk