

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CASA de Maryland, Inc., *et al.*

Plaintiffs,

v.

Donald J. Trump, in his official capacity as
President of the United States, *et al.*

Defendants.

No. 8:19-cv-2715-PWG

**NOTICE OF U.S. COURT OF APPEALS FOR THE SECOND CIRCUIT ORDER
DENYING A STAY OF NATIONWIDE PRELIMINARY INJUNCTIONS**

In their recent Reply in Support of Motion for Stay Pending Appeal (ECF No. 92), Defendants argued that Plaintiffs need not fear implementation of the Department of Homeland Security final rule, *Inadmissibility on Public Charge Grounds* (the Rule), and thus face no harm from a stay, so long as any nationwide injunction remains. Defendants noted that the Second Circuit had not yet ruled on whether to stay the last remaining nationwide injunctions. *Id.* at 7.

On January 8, 2020, the Second Circuit denied the government's motion to stay those injunctions. *See Ex. A, Order, New York v. DHS*, Nos. 19-3531, 19-3595 (2d Cir. Jan. 8, 2020). Therefore, the injunctions continue to protect Plaintiffs against the Rule's enforcement. The fact that Defendants remain enjoined from implementing the Rule in Maryland further bolsters their argument that Plaintiffs would suffer no harm from a stay of proceedings pending appeal.

Dated: January 8, 2020

Respectfully submitted,

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/s/ Jason C. Lynch _____
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S.D.N.Y. – N.Y.C.
19-cv-7993; 19-cv-7777
Daniels, J.

United States Court of Appeals

FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 8th day of January, two thousand twenty.

Present:

Amalya L. Kearse,
Guido Calabresi,
Susan L. Carney,
Circuit Judges.

State of New York, City of New York, State of Connecticut,
State of Vermont,

Plaintiffs - Appellees,

v.

No. 19-3591

United States Department of Homeland Security, Secretary
Kevin K. McAleenan, in his official capacity as Acting
Secretary of the United States Department of Homeland Security,
United States Citizenship and Immigration Services, Director
Kenneth T. Cuccinelli II, in his official capacity as Acting
Director of United States Citizenship and Immigration Service,
United States of America,

Defendants - Appellants.

Make the Road New York, African Services Committee,
Asian American Federation, Catholic Charities Community
Services, (Archdiocese of New York), Catholic Legal
Immigration Network, Inc.,

Plaintiffs - Appellees,

v.

No. 19-3595

Kenneth T. Cuccinelli, in his official capacity as Acting
Director of United States Citizenship and Immigration
Services, United States Citizenship and Immigration Services,
Kevin K. McAleenan, in his official capacity as Acting
Secretary of Homeland Security, United States Department of
Homeland Security,

Defendants - Appellants.

In these related cases, Appellants move for stays pending their appeals of the district court's preliminary injunctions. Upon due consideration, it is hereby ORDERED that Appellants' motions are DENIED. *See U.S. Sec. & Exch. Comm'n v. Citigroup Global Mkts. Inc.*, 673 F.3d 158, 162–63 (2d Cir. 2012) (explaining standard for stay pending appeal). The Court has set an expedited briefing schedule on the merits of the government's appeals, with the last brief due on February 14. Oral argument will be scheduled promptly thereafter. As always, the merits panel as soon as constituted has full authority to consider the scope of the existing injunction.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court


