

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

APR 18 2025

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

COMMUNITY LEGAL SERVICES IN  
EAST PALO ALTO; et al.,

Plaintiffs - Appellees,

v.

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES; et  
al.,

Defendants - Appellants.

No. 25-2358

D.C. No.

3:25-cv-02847-AMO

Northern District of California,  
San Francisco

ORDER

Before: TASHIMA, OWENS, and DESAI, Circuit Judges.

We conclude that the temporary restraining order is not appealable under 28 U.S.C. § 1292(a)(1). *See E. Bay Sanctuary Covenant v. Trump*, 932 F.3d 742, 762 (9th Cir. 2018) (explaining factors the court considers in determining whether a temporary restraining order is appealable as a preliminary injunction); *see also Washington v. Trump*, 847 F.3d 1151, 1158 (9th Cir. 2017) (per curiam). We therefore dismiss this appeal and deny the emergency motion (Docket Entry No. 5) as moot.

**DISMISSED.**