

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 20 2025

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

NATIONAL TPS ALLIANCE; et al.,

Plaintiffs - Appellees,

v.

KRISTI NOEM; et al.,

Defendants - Appellants.

No. 25-4901

D.C. No.

3:25-cv-05687-TLT

Northern District of California,
San Francisco

ORDER

Before: HAWKINS, CALLAHAN, and MILLER, Circuit Judges.

The government's motion for a stay pending appeal (Dkt. No. 5) is granted. The district court's order granting plaintiffs' motion to postpone, entered July 31, 2025, is stayed pending further order of this court. *See Nken v. Holder*, 556 U.S. 418, 434 (2009) (factors governing issuance of a stay pending appeal).

The previously entered briefing schedule (Dkt. No. 2) is suspended. Within seven days of the issuance of a decision in *National TPS Alliance v. Noem*, No. 25-2120, the parties shall submit proposed schedules to govern further proceedings in this case.

The government's motion for a stay of proceedings in the district court (Dkt. No. 5) is denied. Management of the docket is within the discretion of the district court. *See Bigfoot Ventures Ltd. v. Knighton*, 132 F.4th 1138, 1143 (9th Cir. 2025). The government has stated that it intends to move for reassignment of this case to a

different district judge, but it has not shown that the possibility of such a future motion justifies a stay of proceedings at this time.