

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

DONALD J. TRUMP,

Plaintiff,

v.

J. ANN SELZER, SELZER & COMPANY,
DES MOINES REGISTER AND TRIBUNE
COMPANY, and GANNETT CO., INC.,

Defendants.

No. 4:24-cv-00449-RGE-WPK

**ORDER DENYING MOTION TO
STAY**

On May 23, 2025, the Court denied Plaintiff Donald J. Trump and former Plaintiffs Bradley Zaun and Mariannette Miller-Meeks's motion to remand to state court. ECF No. 65. In that order, the Court granted permission to seek an interlocutory appeal and ordered Trump to file an amended complaint removing former Plaintiffs Zaun and Miller-Meeks and eliminating claims exclusive to those Plaintiffs. *Id.* at 11.

Trump now seeks a stay as an interlocutory appeal is pursued. ECF No. 66. In the motion, Trump asks the Court to extend the deadline for filing an amended complaint until 14 days after resolution of any appellate proceedings. *Id.* The motion is identified as unresisted. *Id.*

Defendants respond to clarify they consent to a short extension of the deadline to file an amended complaint, but do not consent to a general stay or to an open-ended extension of the amended complaint deadline to a date following resolution of appellate proceedings. ECF No. 67. Trump replies, suggesting the timing of the filing of an amended complaint may interfere with appellate proceedings. ECF No. 68. The petition for an interlocutory appeal has been filed with the Eighth Circuit. ECF No. 69.

“A stay is not a matter of right, even if irreparable injury might otherwise result but instead is an exercise of judicial discretion . . . dependent upon the circumstances of the particular case.” *Kansas v. United States*, 124 F.4th 529, 533 (8th Cir. 2024) (quoting *Nken v. Holder*, 556 U.S. 418, 433 (2009) (cleaned up)). The “sound legal principles” guiding judicial discretion in this context are similar to those governing the propriety of preliminary injunctions: “likelihood of success”; the presence of “irreparable” injury; injury “to other parties interested in the proceeding”; and “where the public interest lies.” *Id.* (quoting *Nken*, 556 U.S. at 434). “[T]he party moving for the stay pending appeal, ‘bears the burden of showing that the circumstances justify an exercise of that discretion.’” *Id.* (quoting *Nken*, 556 U.S. at 434).

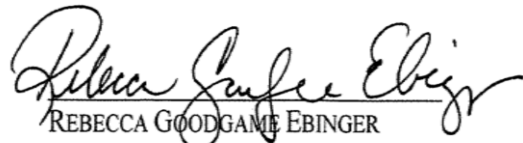
Having considered all pertinent filings, including the petition for an interlocutory appeal, the Court denies the motion for a stay without prejudice. The Court concludes the movant has not, as yet, shown a strong likelihood of success or the presence of irreparable harm. The Court, however, extends the deadline for filing the previously ordered amended complaint to July 18, 2025.

IT IS ORDERED that Plaintiff Donald J. Trump’s Motion to Stay, ECF No. 66, is **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Plaintiff Donald J. Trump shall file an amended complaint, as previously ordered by the Court, ECF No. 65, on or before July 18, 2025.

IT IS SO ORDERED.

Dated this 6th day of June, 2025.


REBECCA GOODGAME EBINGER
UNITED STATES DISTRICT JUDGE