

BRETT A. SHUMATE  
Assistant Attorney General  
DREW C. ENSIGN  
Deputy Assistant Attorney General  
CHARLES E.T. ROBERTS  
Counsel to the Assistant Attorney General  
Civil Division  
ELIANIS N. PEREZ  
Assistant Director  
CATHERINE M. RENO  
Senior Litigation Counsel  
SUSAN ANSARI  
Trial Attorney  
Office of Immigration Litigation

*Attorneys for the United States*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF NEW YORK; ERIC L. ADAMS, Mayor  
of The City of New York, in his official  
capacity; NEW YORK CITY COUNCIL;  
ADRIENNE E. ADAMS, Speaker of the New  
York City Council, in her official capacity;  
NEW YORK CITY DEPARTMENT OF  
CORRECTION; LYNELLE MAGINLEY-LIDDIE,  
Commissioner of the New York City  
Department of Correction, in her official  
capacity; NEW YORK CITY DEPARTMENT OF  
PROBATION; JUANITA N. HOLMES,  
Commissioner of the New York City  
Department of Probation, in her official  
capacity; NEW YORK CITY POLICE  
DEPARTMENT; JESSICA S. TISCH,  
Commissioner of the New York City Police  
Department, in her official capacity,

Defendants.

No. 1:25-cv-4084 (RER)

**MOTION FOR A STAY IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby requests to stay the entire case in the above-captioned case.

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and those appropriations to the Department lapsed. The same is true for the majority of other Executive agencies, including the Plaintiff. The Department does not know when such funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees of the Plaintiff are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of the entire case until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations—i.e., each deadline would be extended by the total number of days of the lapse in appropriations.

5. Opposing counsel has authorized counsel for the Government to state that they have no objection to this motion, provided that Defendants’ Motion to Dismiss is scheduled to be filed on or after November 3, 2025.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of the entire case in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

DATED: October 1, 2025

BRETT A. SHUMATE  
Assistant Attorney General  
DREW C. ENSIGN  
Deputy Assistant Attorney General  
CHARLES E.T. ROBERTS  
Counsel to the Assistant Attorney General  
Civil Division

ELIANIS N. PEREZ  
Assistant Director

SUSAN ANSARI  
Trial Attorney

/s/ Catherine M. Reno  
CATHERINE M. RENO  
Senior Litigation Counsel  
United States Department of Justice  
Civil Division  
Office of Immigration Litigation  
General Litigation and Appeals Section  
P.O. Box 868  
Ben Franklin Station  
Washington, DC 20044  
Telephone: (202) 353-8557  
Fax: (202) 305-7000  
Email: catherine.m.reno@usdoj.gov

*Attorneys for the United States*

**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing motion complies with Local Civil Rule 7.1(b) and (c) because the motion contains 286 words and it has been prepared using Microsoft Word 2016 in proportionally spaced, double-spaced 12-point Garamond typeface.

/s/ Catherine M. Reno  
Catherine M. Reno

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Catherine M. Reno  
Catherine M. Reno