

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 26-1348

CITY OF PHILADELPHIA,

v.

SECRETARY U.S. DEPARTMENT OF INTERIOR; U.S. DEPARTMENT OF
INTERIOR; DIRECTOR NATIONAL PARK SERVICE; NATIONAL PARK
SERVICE,
Appellants

On Appeal from the District Court
for the Eastern District of Pennsylvania
(D.C. No. 2:26-cv-00434)
District Judge: Honorable Cynthia M. Rufe

Argued June 2, 2026

Before: HARDIMAN, RESTREPO, and PHIPPS, Circuit Judges

JUDGMENT

This cause came to be considered on the record from the District Court for the Eastern District of Pennsylvania and was argued on June 2, 2026. On consideration whereof, it is now hereby

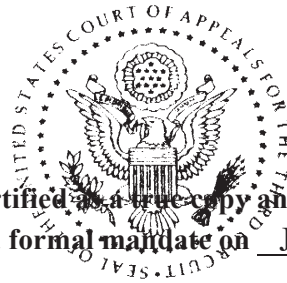
ORDERED and **ADJUDGED** by this Court that the District Court's order entered on February 16, 2026, is hereby **VACATED** and the cause **REMANDED** with instruction to the District Court for it to dismiss Counts II through V for lack of jurisdiction and to dispose of Count I consistent with the Opinion of the Court. All in accordance with the Opinion of this Court.

Costs shall not be taxed.

ATTEST:

s/ Patricia S. Dodszuweit
Clerk

Dated: June 18, 2026



Certified as a true copy and issued in lieu
of a formal mandate on July 3, 2026

Teste: *Patricia A. Dodszuweit*
Clerk, U.S. Court of Appeals for the Third Circuit