

S.D.N.Y. – N.Y.C.  
19-cv-7993; 19-cv-7777  
Daniels, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 8<sup>th</sup> day of January, two thousand twenty.

Present:

Amalya L. Kearse,  
Guido Calabresi,  
Susan L. Carney,  
*Circuit Judges.*

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State of New York, City of New York, State of Connecticut,  
State of Vermont,

*Plaintiffs - Appellees,*

v.

No. 19-3591

United States Department of Homeland Security, Secretary  
Kevin K. McAleenan, in his official capacity as Acting  
Secretary of the United States Department of Homeland Security,  
United States Citizenship and Immigration Services, Director  
Kenneth T. Cuccinelli II, in his official capacity as Acting  
Director of United States Citizenship and Immigration Service,  
United States of America,

*Defendants - Appellants.*

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Make the Road New York, African Services Committee,  
Asian American Federation, Catholic Charities Community  
Services, (Archdiocese of New York), Catholic Legal  
Immigration Network, Inc.,

*Plaintiffs - Appellees,*

v.

No. 19-3595

Kenneth T. Cuccinelli, in his official capacity as Acting  
Director of United States Citizenship and Immigration  
Services, United States Citizenship and Immigration Services,  
Kevin K. McAleenan, in his official capacity as Acting  
Secretary of Homeland Security, United States Department of  
Homeland Security,

*Defendants - Appellants.*

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In these related cases, Appellants move for stays pending their appeals of the district court's preliminary injunctions. Upon due consideration, it is hereby ORDERED that Appellants' motions are DENIED. *See U.S. Sec. & Exch. Comm'n v. Citigroup Global Mkts. Inc.*, 673 F.3d 158, 162–63 (2d Cir. 2012) (explaining standard for stay pending appeal). The Court has set an expedited briefing schedule on the merits of the government's appeals, with the last brief due on February 14. Oral argument will be scheduled promptly thereafter. As always, the merits panel as soon as constituted has full authority to consider the scope of the existing injunction.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk of Court

  
