

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-5236**September Term, 2017****1:17-cv-02122-TSC****Filed On:** October 19, 2017

Rochelle Garza, as guardian ad litem to
unaccompanied minor J.D., on behalf of
herself and others similarly situated,

Appellee

v.

Eric D. Hargan, Acting Secretary, Health and
Human Services, et al.,

Appellants

BEFORE: Henderson, Kavanaugh, and Millett, Circuit Judges

ORDER

Upon consideration of the emergency motion for stay pending appeal and the opposition to the entry of an administrative stay, it is

ORDERED that the district court's temporary restraining order filed on October 18, 2017, be administratively stayed pending further order of this court to the extent that the order requires appellants to transport J.D. or allow J.D. to be transported by either her guardian or attorney ad litem to obtain an abortion procedure on October 20, 2017, and/or October 21, 2017. The portion of the order requiring appellants to transport J.D. or allow J.D. to be transported by either her guardian or attorney ad litem on October 19, 2017, to obtain the counseling required by state law remains in effect, as do paragraphs 3, 4, and 5 and the costs and contempt provisions of the order. The purpose of this administrative stay is to give the court sufficient opportunity to consider the emergency motion for stay and should not be construed in any way as a ruling on the merits of that motion. See D.C. Circuit Handbook of Practice and Internal Procedures 33 (2017). It is

FURTHER ORDERED, on the court's own motion, that appellee file a response to the emergency motion for stay by 2:00 p.m. today, October 19, 2017. Any reply is due by 8:00 p.m. today, October 19, 2017. The parties are directed to hand-deliver the paper copies of their submissions to the court by the time and date due. It is

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FURTHER ORDERED that oral argument be scheduled before this panel on Friday, October 20, 2017, at 10:00 a.m. in Courtroom 31.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail
Deputy Clerk