UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

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WILLIAM WIESE, an individual; JEERMIAH MORRIS, an individual; LANCE COWLEY, an individual; SHERMAN MACASTON, an individual; CLIFFORD FLORES, individually and as trustee of the Flores Family Trust; L.Q. DANG, an individual; FRANK FEDEREAU, an individual; ALAN NORMANDY, an individual; TODD NIELSEN, an individual; THE CALGUNS FOUNDATION; FIREARMS POLICY COALITION; FIREARMS POLICY FOUNDATION; and SECOND AMENDMENT FOUNDATION, Plaintiffs, v. XAVIER BECERRA, in his official capacity as Attorney General of California; and MARTHA SUPERNOR, in her official capacity as Acting Chief of the Department of Justice Bureau of Firearms, Defendants.	No. 2:17-cv-903 WBS KJN <u>ORDER</u>

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AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The court previously stayed this case pending defendants' appeal in Duncan v. Becerra, No. 19-55376 (9th Cir.). The parties have filed a joint status report informing the court of the Ninth Circuit's decision, No. 19-55376, 2020 WL 4730668 (9th Cir. Aug. 14, 2020), though the mandate has not yet issued. In the joint status report, plaintiffs request that the court lift the stay and issue a briefing and hearing schedule for plaintiffs' anticipated motion for summary judgment. Defendants oppose this request.

Given that the mandate has not yet issued in Duncan v. Becerra, and the possibility of en banc review, the court declines to lift the stay in this case at this time. The parties shall file a joint status report within fourteen (14) days of the issuance of the mandate in Duncan v. Becerra.

IT IS SO ORDERED.

Dated: August 28, 2020

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE