

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-5276**September Term, 2017****1:17-cv-02122-TSC****Filed On:** December 18, 2107

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

Appellees

v.

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

Appellants

BEFORE: Rogers, Tatel, and Millett, Circuit Judges

ORDER

Upon consideration of the emergency motion for stay, it is

ORDERED that the district court's temporary restraining order filed on December 18, 2017, be administratively stayed until 6:05 p.m. on Wednesday, December 20, 2017, to the extent that the order requires appellants to transport Jane Roe or allow Jane Roe to be transported to obtain an abortion procedure. The purpose of this administrative stay is to give the court sufficient opportunity to consider the emergency motion 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 10:00 a.m. on December 19, 2017. Any reply is due by 3:00 p.m. on December 19, 2017. The parties are directed to hand-deliver the paper copies of their submissions to the court by the time and date due. The parties are directed to address (1) whether Jane Roe's independent request for and decision to undergo an abortion fully complies with the relevant state law governing abortions by minors, and (2)

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whether the Office of Refugee Resettlement (ORR) has yet made an individualized decision regarding its view concerning why termination of the pregnancy would not, in its judgment, be in Jane Roe's best interests and, if so, to submit that decision and analysis under seal with its reply brief, and (3) if no such individualized decision has been made (see DCT Tr. 19), identify on what basis ORR has concluded that an abortion would not be in Jane Roe's best interests.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

By: /s/
Lynda M. Flippin
Deputy Clerk