

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs-Appellees,

v.

DONALD J. TRUMP, et al,

Defendants-Appellants.

No. 17-1351

**PLAINTIFFS-APPELLEES'
MOTION FOR LEAVE TO
SUPPLEMENT THE RECORD**

Plaintiffs-Appellees move to supplement the record to include a new declaration by Plaintiff John Doe #3. The government has indicated that it consents to this motion. The new declaration states that on May 1, 2017, Doe #3's wife was granted an immigrant visa, which expires on October 29, 2017. Ex. A. *Cf.* Reply Br. 6 (arguing that Doe #3 lacked standing because "it is likely [his wife's] visa was denied"); Appellants' Br. 20 (same). She plans to travel to the United States soon. Ex. A. *Cf.* Appellants' Br. 19-20 (arguing that Doe #3 faces no "imminent risk of delay") (quotation marks omitted).

If the injunctions of Section 2(c) were lifted, Doe #3's wife, who is Iranian, would immediately be banned from entering the United States. Section 2(c) prohibits the entry of Iranian nationals unless they (1) had a valid visa on January 27, 2017; (2) had a valid visa on March 16, 2017; or (3) have a valid visa and a ban

waiver issued under the terms of the Order. *See* Mar. 6 Order §§ 3(a)(ii)-(iii), 3(c), 14. Visas issued after March 16, 2017 do *not* allow entry unless the holder also has a ban waiver. *Id.* § 3(b)(iii) & (c). Doe #3’s wife has not received a waiver under the Order, and there would be no way for a person in her position—who has received a visa but not a waiver—to apply for a waiver, even if the Order were fully operational. *See* Appellants’ Br. 19 (The “waiver process is integrated into the existing visa-issuance procedure.”); *accord* Dep’t of State, Cable 23338, §§ 10, 13, Mar. 10, 2017.¹

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¹ Available at http://live.reuters.com/Event/Live_US_Politics/791235253 (last visited May 4, 2017).

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CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2017, I electronically filed the foregoing brief with the Clerk of the Court for the United States Court of Appeals for the Fourth Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

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