

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 3 2020

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

HARVEST ROCK CHURCH, INC., itself  
and on behalf of its member churches in  
California; HARVEST INTERNATIONAL  
MINISTRY, INC., itself and on behalf of its  
member churches in California,

Plaintiffs-Appellants,

v.

GAVIN NEWSOM, in his official capacity  
as Governor of the State of California,

Defendant-Appellee.

No. 20-55907

D.C. No.

2:20-cv-06414-JGB-KK

Central District of California,  
Los Angeles

ORDER

On Remand from the Supreme Court of the United States

Before: O'SCANNLAIN, RAWLINSON, and CHRISTEN, Circuit Judges.

Pursuant to the Supreme Court's order in *Harvest Rock Church v. Newsom*, No. 20A94, 592 U.S. \_\_\_\_ (Dec. 3, 2020), we vacate our October 1, 2020, order denying Harvest Rock Church's motion for an injunction pending appeal; vacate the district court's September 2, 2020, order denying Harvest Rock Church's motion for a preliminary injunction; and remand to the district court for further consideration in light of *Roman Catholic Diocese of Brooklyn v. Cuomo*, No. 20A87, 592 U.S. \_\_\_\_ (Nov. 25, 2020).

Harvest Rock Church's petition for rehearing en banc is DENIED as moot. The motions to appear as amicus curiae, filed by Leading Epidemiologists and Public Health Experts (ECF No. 42) and by Americans United for Separation of Church and State, et al. (ECF No. 52), are DENIED as moot.

**REMANDED.**