

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 23 2020

FOR THE NINTH CIRCUIT

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

SOUTH BAY UNITED PENTECOSTAL
CHURCH, a California nonprofit
corporation; BISHOP ARTHUR HODGES
III, an individual,

Plaintiffs-Appellants,

v.

GAVIN NEWSOM, in his official capacity
as the Governor of California; et al.,

Defendants-Appellees.

No. 20-56358

D.C. No.

3:20-cv-00865-BAS-AHG

Southern District of California,
San Diego

ORDER

Before: WARDLAW and CLIFTON, Circuit Judges, and HILLMAN,* District
Judge.

Appellees are directed to file an opposition to Appellants' Emergency
Motion for an Injunction Pending Appeal on Thursday, December 24, 2020, by
9:00 A.M. Appellants' optional reply brief is due on Thursday, December 24,
2020, by 12:00 P.M.

Given that the issues presented in this appeal "strike at the very heart of the
First Amendment's guarantee of religious liberty," *Roman Catholic Diocese of*

* The Honorable Timothy Hillman, United States District Judge for the
District of Massachusetts, sitting by designation.

Brooklyn v. Cuomo, 141 S. Ct. 63, slip op. at 6 (2020) (per curiam), and the gravity of the pandemic's impact on Southern California, in particular, we order Appellants' appeal from the district court's Order Denying the Motion for a Temporary Restraining Order or Preliminary Injunction expedited. See Fed. R. App. P. 2; Ninth Circuit R. 3-3. The briefing schedule shall proceed as follows: the opening brief and excerpts of record are due on or before December 31, 2020; the answering brief is due on or before January 7, 2021; and the optional reply brief is due on or before January 11, 2021.

This appeal is set for virtual oral argument at the Richard H. Chambers U.S. Court of Appeals Building, Pasadena, California, on January 15, 2021, at 1:00 P.M. Each side is allotted 30 minutes for argument.

IT IS SO ORDERED.