

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

DEC 01 2008

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

LOG CABIN REPUBLICANS, a non-
profit corporation,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA;
DONALD H. RUMSFELD, Secretary of
Defense, in his official capacity,

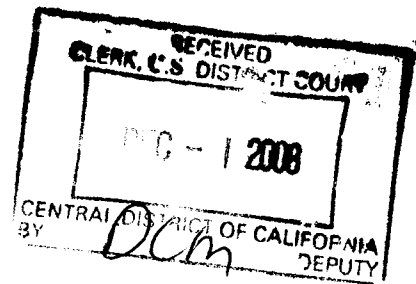
Defendants - Appellees.

No. 08-56185

D.C. No. 2:04-cv-08425-GPS-E

Central District of California, Los
Angeles

MANDATE



The judgment of this Court, entered 11/6/08, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

By: Lee-Ann Collins
Deputy Clerk

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

LOG CABIN REPUBLICANS,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; et al.,

Defendants - Appellees.

No. 08-56185

D.C. No. 2:04-cv-08425-GPS
Central District of California,
Los Angeles

ORDER

Before: TROTT, GOULD and TALLMAN, Circuit Judges.

We have reviewed the responses to the court's July 29, 2008 order to show cause, and we conclude we lack jurisdiction over this appeal. *Cf. Patel v. Del Taco, Inc.*, 446 F.3d 996, 1000 (9th Cir. 2006) (holding that court lacked jurisdiction over appeal of interlocutory order staying case while claims pending in arbitration); *Shapiro v. Paradise Valley Unified Sch. Dist.*, 152 F.3d 1159, 1161 (9th Cir. 1998) (per curiam) (holding that court lacked jurisdiction over appeal of interlocutory order staying case while claims pending in parallel federal administrative proceeding). Accordingly, the court dismisses this appeal for lack of jurisdiction.

DISMISSED.

HS/MOATT