

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

SEAN HILL,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 1:11-00413-BLW

ORDER LIFTING STAY

Upon further reflection, the Court will reconsider its order staying this case. Unlike other cases the Court stayed because the continuing resolution funding the Department of Justice expired, this case has a looming trial date. Staying the case may force a continuance of the trial date. Given the Court's extremely full docket, it would be difficult to find another trial date in the near future without impacting other cases. Moreover, the Court understands that Department of Justice attorneys and their federal agency counterparts may be allowed to perform work necessary to meet case deadlines if the Court orders that the trial proceed as scheduled.

Accordingly, the Court will lift the stay, with the hope that the lapse in appropriations to the government will be resolved shortly. The Court encourages counsel to work together to accommodate inconveniences caused by the lack of appropriations for the government. If the lack of appropriations issue is not resolved in the near future, the Court will entertain another motion to stay by the government if it cannot effectively litigate this case, causing prejudice to the interests of the United States.

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IT IS THEREFORE ORDERED that the Stay issued in this case is **LIFTED**, and this case shall proceed as scheduled.



DATED: October 2, 2013

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill
Chief Judge
United States District Court