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Judge James L. Robart  
Magistrate Judge Brian A. Tsuchida

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ARTURO MARTINEZ BAÑOS, et al.,	)	No. 2:16-cv-01454-JLR-BAT
Petitioners-Plaintiffs	)	
v.	)	<b>JOINT MOTION TO STAY</b>
	)	<b>PROCEEDINGS</b>
ELIZABETH GODFREY, et al.,	)	
Respondents-Defendants.	)	
_____	)	

On April 7, 2020, and June 1, 2020, the United States Circuit Court for the Ninth Circuit issued its opinion and mandate affirming in part, reversing in part, and vacating in part this Court’s order adopting Chief Magistrate Judge Tsuchida’s report and recommendation on the parties’ cross-motions for summary judgment, and remanding the case to this Court for further proceedings. *See Flores Tejada v. Godfrey, et al.*, 954 F.3d 1245 (9th Cir. 2020). Thereafter, on June 12, 2020, this Court issued an order asking the parties to file, within fourteen days, a joint

JOINT MOTION TO  
STAY PROCEEDINGS  
  
(Case No. 2:16:-cv-01454)

Department of Justice, Civil Division  
Office of Immigration Litigation  
P.O. Box 868 Ben Franklin Station  
Washington, D.C. 20044  
(202) 305-7181

1 status report proposing how the Court should proceed on remand. The parties, by and through  
2 their undersigned attorneys of record, move this Court to stay proceedings in this case until the  
3 time to file a petition for a writ of certiorari before the Supreme Court of the United States has  
4 elapsed.

5 The Supreme Court of the United States issued a miscellaneous order on March 19, 2020,  
6 extending the time to file petitions for writs of certiorari. Specifically, in light of the public  
7 health concerns related to COVID-19, the Supreme Court ordered that “the deadline to file any  
8 petition for a writ of certiorari due on or after the date of this order is extended to 150 days from  
9 the date of the lower court judgment, order denying discretionary review, or order denying a  
10 timely petition for rehearing. See Rules 13.1 and 13.3.” *Miscellaneous Order*, 592 U.S. \_\_\_  
11 (Mar. 19, 2020).<sup>1</sup> The Ninth Circuit published its Opinion in this case on April 7, 2020, after the  
12 Supreme Court’s March 19, 2020, miscellaneous order. As such, the time to file a petition for a  
13 writ of certiorari in this case is still running and will not elapse until September 4, 2020.

14  
15 In the interests of justice and judicial economy, the parties thus jointly ask this court to  
16 stay all proceedings in this case until September 5, 2020, when the time to file a certiorari  
17 petition before the Supreme Court has elapsed as Defendants are currently determining whether  
18 they will file a petition for certiorari in this matter. Entry of an order granting this joint request  
19 will not prejudice the class members’ interests as they will continue to receive bond hearings  
20 after 180 days of detention.  
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22

23 Dated: June 24, 2020

Respectfully submitted,

24  
25 JOSEPH H. HUNT  
Assistant Attorney General  
26 Civil Division

27 <sup>1</sup> [https://www.supremecourt.gov/orders/courtorders/031920zr\\_d1o3.pdf](https://www.supremecourt.gov/orders/courtorders/031920zr_d1o3.pdf) (last visited, June 23, 2020).

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WILLIAM C. PEACHEY  
Director, Office of Immigration Litigation

KATHERINE J. SHINNERS  
Senior Litigation Counsel  
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JOINT MOTION TO  
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JLR

1 status of this matter by no later than September 5, 2020.

2 DATED this 25th day of June, 2020.

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6 JAMES L. ROBART  
7 District Judge  
8 United States District Court  
9 Western District of Washington

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14 Presented by:

15 GLADYS M. STEFFENS GUZMÁN

16  
17 /s/ Gladys M. Steffens Guzmán

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28 ORDER GRANTING  
JOINT MOTION TO STAY PROCEEDINGS

(Case No. 2:16:-cv-01454)