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4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 IVY BYRD GAINES,

7 Petitioner,

8 v.

9 UNITED STATES OF AMERICA,

10 Respondent.

C17-264 TSZ
(related to CR03-496 TSZ)

MINUTE ORDER

11 The following Minute Order is made by direction of the Court, the Honorable
Thomas S. Zilly, United States District Judge:

12 (1) Having reviewed the parties' Joint Status Report filed on April 20, 2020,
13 docket no. 20, indicating that the United States Court of Appeals for the Ninth Circuit has
14 issued a decision in *United States v. Dominguez*, No. 14-10268, but that the deadline for
15 the defendant in that matter to file a petition for en banc review has been extended to
16 June 29, 2020, the Court maintains the stay of this action until further order. The parties
17 are DIRECTED to file a Joint Status Report within seven (7) days after the Ninth Circuit
18 rules on the petition for en banc review in *Dominguez*, **or by December 31, 2020**,
19 whichever occurs earlier. If the petition for en banc review is denied, the parties shall set
20 forth in the Joint Status Report a proposed briefing schedule for addressing the effect of
21 *Dominguez*, the vitality of *Deal v. United States*, 508 U.S. 129 (1993), and any other
22 relevant issues. If the petition is granted, the parties need not include in their Joint Status
23 Report any motion to maintain the stay of this case.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of
record.

Dated this 23rd day of April, 2020.

William M. McCool
Clerk

s/Karen Dews
Deputy Clerk