

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

MAY 30 2024

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

MONTANA PUBLIC INTEREST  
RESEARCH GROUP and MONTANA  
FEDERATION OF PUBLIC  
EMPLOYEES,

Plaintiffs - Appellees,

v.

CHRISTI JACOBSEN, in her official  
capacity as Montana Secretary of State, et  
al.;

Defendants - Appellants,

REPUBLICAN NATIONAL  
COMMITTEE and MONTANA  
REPUBLICAN PARTY,

Intervenor-Defendants -  
Appellants.

No. 24-2811

D.C. No.

6:23-cv-00070-BMM

District of Montana,

Helena

ORDER

Before: CANBY, TASHIMA, and KOH, Circuit Judges.

Appellants have filed an emergency motion seeking to stay the district court's order enjoining enforcement of a portion of a recently enacted election registration law. We conclude that appellants have not adequately shown it is likely they will suffer irreparable harm absent an immediate stay because the district court's preliminary injunction will not affect Montana's June 4, 2024 primary election processes or procedures. *See Nken v. Holder*, 556 U.S. 418, 434

(2009) (defining standard for stay pending appeal); *see also Doe #1 v. Trump*, 957 F.3d 1050, 1062 (9th Cir. 2020) (A stay applicant must show “that irreparable injury is likely to occur during the period before the appeal is decided.”).

Accordingly, the emergency motion to stay the district court’s April 24, 2024 order (Docket Entry No. 3) is denied.

We expedite this appeal. The existing briefing schedule remains in effect. The Clerk will place this case on the calendar for August 2024. *See* 9th Cir. Gen. Ord. 3.3(g).

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