

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

AMERICA FIRST POLICY INSTITUTE,
et al.,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., *et al.*,

Defendants.

2:24-CV-152-Z

ORDER

Before the Court is Plaintiffs' Unopposed Motion to Hold Case in Abeyance ("Motion") (ECF No. 73), filed November 12, 2024. Plaintiffs filed a Motion for a Preliminary Injunction ("PI Motion") (ECF No. 15) on September 10, 2024, in advance of the November elections. There, Plaintiffs challenged President Biden's Executive Order 14019, *Promoting Access to Voting*, 86 Fed. Reg. 13,623 (Mar. 7, 2021) ("EO"). On November 5, 2024, Donald J. Trump was elected President of the United States, and on November 6, 2024, Plaintiffs withdrew their PI Motion. ECF No. 72.

Now, Plaintiffs explain that after President-elect Trump takes office on January 20, 2025, "[i]t is foreseeable that he may decide to withdraw the challenged EO. If he does so, such action may well moot this case." ECF No. 73 at 1. They accordingly "request that this case be held in abeyance." *Id.*

Plaintiffs' Motion is **GRANTED**. See *In re Ramu Corp.*, 903 F.2d 312, 318 (5th Cir. 1990) ("The stay of a pending matter is ordinarily within the trial court's wide discretion to control the course of litigation"); *Hammoud v. Ma'at*, 49 F.4th 874, 882 n.42 (5th Cir. 2022) (en banc) (citing "the cardinal principle of judicial restraint [that] if it is not

necessary to decide more, it is not necessary to decide more”) (quoting *PDK Labs, Inc. v. U.S. D.E.A.*, 362 F.3d 786, 799 (D.C. Cir. 2004) (Roberts, J., concurring)). The Court therefore **STAYS** all proceedings and deadlines in this case until at least February 20, 2025.

Plaintiffs are **ORDERED** to file a status report no later than February 20, 2025. The Clerk of Court is **DIRECTED** to terminate ECF No. 15 because Plaintiffs withdrew it. ECF No. 72.

SO ORDERED.

November 15, 2024



MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE

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