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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

S-M-J, an adult,

Case No. 6:25-cv-01425-MTK

Petitioner,

v.

**RESPONDENTS' UNOPPOSED
MOTION FOR STAY IN LIGHT OF
LAPSE IN APPROPRIATIONS**

**DREW BOSTOCK; TODD LYONS;
KRISTI NOEM; PAMELA BONDI;
U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT; U.S.
DEPARTMENT OF HOMELAND
SECURITY,**

Respondents.

LOCAL RULE 7-1 CERTIFICATION

Counsel for Respondents conferred with counsel for Petitioners, and they have indicated they do not oppose this motion.

**MOTION FOR A STAY OF PRELIMINARY INJUNCTION BRIEFING
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of the briefing on the motion for a preliminary injunction, ECF 26, in the above-captioned case. The United States does not oppose an extension of the temporary restraining order currently in effect until the shutdown concludes and briefing on the preliminary injunction proceeds.

MOTION

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of briefing on Petitioners’ motion for a preliminary injunction until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, undersigned counsel be permitted to confer with Petitioners' counsel and propose new deadlines commensurate with the duration of the lapse in appropriations.

5. The United States does not oppose an extension of the temporary restraining order currently in effect until the Court decides whether to issue a preliminary injunction.

Therefore, although we greatly regret the disruption caused to the Court and the other litigants, the Government hereby moves for a stay of in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted this 1st day of October 2025.

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/s/ Joshua Keller
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