

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

FEB 4 2026

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

NATIONAL TPS ALLIANCE; et al.,

Plaintiffs - Appellees,

v.

KRISTI NOEM; et al.,

Defendants - Appellants.

No. 25-5724

D.C. No.

3:25-cv-01766-EMC

Northern District of California,  
San Francisco

ORDER

Before: WARDLAW, MENDOZA, and JOHNSTONE, Circuit Judges.

Plaintiffs-Appellees are directed to file a response to the Petition for Rehearing En Banc, *see* Dkt. No. 76, by February 11, 2026. The response shall comply with Ninth Circuit Rule 40-1(b).

Defendants-Appellants' Motion to Stay Issuance of the Mandate is **GRANTED**, pending adjudication of the Petition for Rehearing En Banc. Our order directing a response to the motion, *see* Dkt. 75, is **VACATED**. If the Petition is denied, the mandate shall issue immediately.

**IT IS SO ORDERED.**