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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

V.

SHIRLEY WEBER, in her official capacity as Secretary of State of the State of California, and the STATE OF CALIFORNIA,

Defendant(s).

CASE NO: 2:25-CV-09149

MOTION FOR A STAY OF ACTION
IN LIGHT OF LAPSE OF
APPROPRIATIONS

MOTION FOR A STAY OF ACTION
IN LIGHT OF LAPSE OF APPROPRIATIONS

The United States of America hereby moves for a stay of Action in the above-captioned case.

1 1. At the end of the day on September 30, 2025, appropriations to the
2 Department of Justice lapsed. The Department does not know when funding will
3 be restored by Congress.

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

8 3. Undersigned counsel for the Department of Justice therefore requests
9 a stay of the case at bar until Congress has restored appropriations to the
10 Department.

11 4. If this motion for a stay is granted, undersigned counsel will notify the
12 Court as soon as Congress has appropriated funds for the Department. The
13 Government requests that, at that point, all current deadlines for the parties be
14 extended commensurate with the duration of the lapse in appropriations (i.e., each
15 deadline would be extended by the total number of days of the lapse in
16 appropriations).

17 5. Defendants have not yet been served therefore there is no current
18 counsel of record on behalf of Defendants at this time.

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

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2 DATED: October 1, 2025
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Respectfully submitted,

4 HARMEET K. DHILLON
5 Assistant Attorney General
6 Civil Rights Division
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8 /s/ Michael E. Gates
9 MICHAEL E. GATES
10 Deputy Assistant Attorney General
11 MAUREEN RIORDAN
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CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2025, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ *Brittany E. Bennett*

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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12 UNITED STATES OF AMERICA
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14 Plaintiff,
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16 v.
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18 SHIRLEY WEBER, in her official
19 capacity as Secretary of State of the
20 State of California, and the STATE
21 OF CALIFORNIA,
22
23 Defendant(s).
24

CASE NO: 2:25-CV-09149

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28 ORDER GRANTING MOTION FOR
A STAY OF ACTION IN LIGHT OF
LAPSE OF APPROPRIATIONS

**ORDER GRANTING MOTION FOR A STAY OF ACTION
IN LIGHT OF LAPSE OF APPROPRIATIONS**

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30 Before this Court is the United States of America's Motion for Stay of
31 Action in Light of Lapse of Appropriations. As at the end of the day on
32 September 30, 2025, appropriations to the Department of Justice lapsed. The
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34 United States of America v. Shirley Weber in her Official Capacity as Secretary of
35 State of the State of California
36 Order Granting Motion for a Stay of Action in Light of Lapse of Appropriations

1 Department does not know when funding will be restored by Congress. Absent an
2 appropriation, Department of Justice attorneys are prohibited from working, even
3 on a voluntary basis, except in very limited circumstances, including “emergencies
4 involving the safety of human life or the protection of property.” 31 U.S.C.
5 § 1342.

6 Defendants have not yet been served therefore there is no current counsel of
7 record on behalf of Defendants at this time.

8 IT IS SO ORDERED, that Plaintiff’s Motion to Stay in Light of Lapse
9 in Appropriations is GRANTED.

10 IT IS FURTHER ORDERED that all current deadlines for the parties
11 be extended commensurate with the duration of the lapse in appropriations (i.e.,
12 each deadline would be extended by the total number of days of the lapse in
13 appropriations).

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DATED: October 1, 2025

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District Court Judge

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