

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ALISHEA KINGDOM, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

Civ. A. No. 25-691 (RCL)

**DEFENDANTS' MOTION TO STAY THE JUNE 17, 2026
PRELIMINARY INJUNCTION PENDING APPEAL**

Defendants respectfully request that the Court stay the Preliminary Injunction it issued on June 17, 2026 (ECF No. 215) pending appeal. The Solicitor General has authorized the appeal of that preliminary injunction as well as any request for a stay of the injunction in the appellate court. Federal Rule of Appellate Procedure 8(a)(1), however, provides that “a party must ordinarily move first in the district court” for an order staying an injunction pending appeal. Defendants are accordingly seeking that relief in this Court.

Defendants respectfully request that the Court stay the preliminary injunction pending appeal, and if the Court is not inclined to grant the stay, then deny the Government’s request by June 25, 2026. “The test for a stay or injunction pending appeal is essentially the same” as the test for a preliminary injunction, “although courts often recast the likelihood of success factor as requiring only that the movant demonstrate a serious legal question on appeal where the balance of harms strongly favors a stay[.]” *Dunlap v. Pres. Advisory Comm’n on Election Integrity*, 390 F. Supp. 3d 128, 131 (D.D.C. 2019) (quoting *Al-Anazi v. Bush*, 370 F. Supp. 2d 188, 193 & n.5 (D.D.C. 2005)). Defendants believe that for the reasons discussed in their opposition to Plaintiffs’ Motion for an Updated Preliminary

Injunction and to Stay Agency Action (ECF No. 186), they have met that standard. Defendants are likely to succeed on the merits of their appeal because they are likely to show that there is no Administrative Procedure Act violation and that the balance of equities decidedly tip against issuance of the injunction.

Defendants have conferred with counsel for Plaintiffs, who oppose the relief requested herein.

Dated: June 22, 2026

Respectfully submitted,

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[PROPOSED] ORDER

Upon consideration of Defendants' Motion to Stay the June 17, 2026 Preliminary Injunction Pending Appeal, and any response thereto, it is hereby **ORDERED** that Defendants' motion is **GRANTED**.

DATED: _____

Royce C. Lamberth
United States District Judge