

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 20-5286

September Term, 2020

1:20-cv-01999-APM

Filed On: December 22, 2020

Shawnee Tribe,

Appellant

v.

Steven T. Mnuchin, in his official capacity as
Secretary of the United States Department of
the Treasury, et al.,

Appellees

BEFORE: Tatel, Garland*, and Wilkins, Circuit Judges

ORDER

Upon consideration of appellant’s emergency motion for application of a stay or injunction and motion for expedited briefing and resolution, and the opposition thereto, it is

ORDERED that the motion for injunction or stay be denied. The Shawnee Tribe failed to “move first in the district court” for the requested injunction as required by Federal Rule of Appellate Procedure 8(a)(1)(C). Nor has the Tribe demonstrated that “moving first in the district court would be impracticable” under Rule 8(a)(2)(A)(i), especially given that the district court has ordered that the government must provide it “with notice of at least three business days before disbursing Title V funds below the level necessary to pay the amounts claimed by” the Miccosukee Tribe of Indians of Florida and the Shawnee Tribe. Minute Order, *Miccosukee Tribe of Indians of Florida v. United States Department of the Treasury*, No. 20-cv-2792 (D.D.C. Dec. 14, 2020). It is

FURTHER ORDERED that the motion for expedited briefing and resolution be dismissed as moot.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk

* Circuit Judge Garland did not participate in the disposition of these motions.