

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 20 2023

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

STATE OF IDAHO,

Defendant-Appellant.

No. 23-35440

D.C. No. 1:22-cv-00329-BLW
District of Idaho,
Boise

ORDER

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

STATE OF IDAHO,

Defendant,

v.

MIKE MOYLE, Speaker of the Idaho House
of Representatives; et al.,

Movants-Appellants.

No. 23-35450

The unopposed motion to consolidate (Docket Entry No. 8 in 23-35440;
Docket Entry No. 6 in 23-35450) is granted. Appeal Nos. 23-35440 and 23-35450
are consolidated.

The opening briefs are due August 7, 2023. The consolidated answering brief is due September 8, 2023. The optional reply briefs are due within 21 days after service of the consolidated answering brief.

The request that appellee be permitted to file a consolidated answering brief of up to 17,000 words is denied without prejudice to filing a motion for leave to file an oversized brief “accompanied by a single copy of the brief that the [appellee] proposes to file.” *See* 9th Cir. R. 32-2.2(a); *see also* 9th Cir. R. 32-2.2(b) (a party filing a single brief answering multiple briefs is automatically entitled to an additional 1,400 words).

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT