

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

JAIME O. PEREZ et al.,

Plaintiffs,

v.

JAMES R. CLAPPER et al.,

Defendants.

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EP-14-CV-00050-KC

ORDER

On this day, the Court sua sponte considered the above-captioned case. It has become apparent to the Court that Plaintiffs base their briefing and strategy in the instant case upon that of the parties to proceedings before other federal district and appeals courts, namely what Plaintiffs call the “Klayman, Smith, and ACLU appeal courts.” See July 30, 2015, Brief, ECF No. 78. As Plaintiffs explain in their notice regarding mootness, “[a]s of today’s date, neither the Klayman, Smith, and ACLU appeal courts have commented yet on the briefs and papers filed with the respective courts re mootness.” *Id.*

Because Plaintiffs have premised their case before this Court almost entirely on these other ongoing court proceedings, as well as on the briefing filed by the parties to those proceedings, and because Plaintiffs are awaiting decisions in those other courts in order to determine how they wish to proceed in the instant action, the Court hereby **STAYS** the instant case for a period of six (6) months.

IT IS FURTHER ORDERED that Defendants’ Motion to Dismiss, ECF No. 40, is **DENIED** as moot. Defendants may refile a Motion to Dismiss upon the lifting of the Court’s stay.

Finally, **IT IS FURTHER ORDERED** that the case be **ADMINISTRATIVELY CLOSED**. Plaintiffs may move to reopen the case at the end of six (6) months in order to file a Status Report with the Court.

SO ORDERED.

SIGNED this 6th day of August, 2015.

A handwritten signature in black ink, reading "Kathleen Cardone". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE