

OCT 02 2011

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JARED LEE LOUGHNER,

Defendant - Appellant.

No. 11-10504

D.C. No. 4:11-cr-00187-LAB-1

District of Arizona,

Tucson

ORDER

Before: WALLACE, BERZON, and BYBEE, Circuit Judges.

Upon review of the notice of appeal and the September 30, 2011 district court order extending restoration commitment, the panel assigned to *United States of America v. Jared Lee Loughner*, no. 11-10339, has determined that the relevant facts and issues presented in these appeals are substantially related. Accordingly, we accept assignment of this appeal.

Appellee shall file a response to the appellant's September 30, 2011 emergency motion for stay pending appeal by 5 p.m. PST, October 3, 2011. In the response, appellee is requested to provide information about the likely date of transportation of appellant.