

FILED

UNITED STATES COURT OF APPEALS

OCT 04 2011

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.

The district court's September 30, 2011 order extending restoration commitment is temporarily stayed. The court has determined that oral argument and review of the transcript of the September 28, 2011 district court hearing will be of assistance in resolving the issues raised by appellant's emergency motion for stay pending appeal.

Accordingly, the court reporter should produce the transcripts as soon as possible, and in any case no later than 5:00 p.m. PST, October 7, 2011. A telephonic oral argument will be scheduled on the next day following the production of the transcript.

KB/MOATT

At the telephonic oral argument, in addition to the merits of the emergency motion, counsel shall also be prepared to address the scope of this appeal and its interrelation to appeal nos. 11-10339 and 11-10432.

Appellee's motion to file under seal exhibits in support of the opposition to the emergency motion is granted.