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U.S. COURT OF APPEALS

FEB 14 2017

No. 17-35105

FILED _____
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**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

STATE OF WASHINGTON, et al.,
Plaintiffs-Appelles

v.

DONALD TRUMP, President of the United States, et al.,
Defendant-Appellants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

**MOTION TO FILE BRIEF OF AMICUS CURIAE KIM BLANDINO,
PRO SE IN SUPPORT OF DEFENDANT-APPELLANTS URGING
IMMEDIATE ACTION TO VACATE THE TRO OR IN THE ALTERNATIVE
TO TREAT THIS SUBMISSION AS AN EXTRAORDINARY WRIT OF
MANDAMUS, PROHIBITION OR ANY OTHER EXTRAORDINARY WRIT
AS KIM IS AN AFFECTED PERSON THAT IS EXPOSED TO DANGER BY
THE TRO ISSUED BY THE DISTRICT COURT**

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The undersigned Movant, Kim Blandino, hereinafter, “Kim” was born in the U.S. And is a denizen of the U.S and is currently residing temporarily in Las Vegas, Nevada. Kim's two adult sons also reside in the U.S. . Kim respectfully moves this Court under the FRAP and FRAP 29(a)(2), for leave to file the attached **BRIEF OF AMICUS CURIAE KIM BLANDINO, PRO SE IN SUPPORT OF DEFENDANT-APPELLANTS URGING IMMEDIATE ACTION TO VACATE THE TRO OR IN THE ALTERNATIVE TO TREAT THIS SUBMISSION AS AN EXTRAORDINARY WRIT OF MANDAMUS, PROHIBITION OR ANY OTHER EXTRAORDINARY WRIT AS KIM IS AN AFFECTED PERSON THAT IS EXPOSED TO DANGER BY THE TRO ISSUED BY THE DISTRICT COURT** in support of the Appeal filed by the Department of Justice to the Temporary Restraining Order (TRO) issued by the U.S. District Court for the Western District of Washington, relating to President *Trump's Executive Order: Protecting The Nation From Foreign Terrorist Entry Into The United States #13769*.

Now that this court has issued an order based on a sua sponte en banc call by the unknown “Judge Doe” as to whether the order denying the stay on Feb 9, 2017

should be reconsidered en banc and ordering a briefing schedule, potential relief must still be requested in this court before asking the supreme court relief.

Therefore, know that Kim intends to seek relief through the Supreme Court, if relief is not given here so time is of the essence.

STATEMENT OF MOVANT'S INTEREST AND RELVANCY OF BRIEFING

Kim was born in the State of Montana , and grandson of a legal immigrant that came in through Ellis Island . Kim is a denizen of the U.S. Kim and his sons are directly in the “line of fire” of any terrorist or agents of terrorists or “would be terrorists” that are a direct threat to anyone residing in America. The attacks on Sept. 11, 2001 in New York and elsewhere and all the incidents since then to now has proven that there is truly a “war on terror” that America did not start and is still being waged to this day.

Kim is also an investigative journalist investigating judicial corruption in Nevada and an individual with deep religious convictions. Kim believes that America and the State of Israel have a common destiny to stand against evil and that terrorism is evil. That the national security of America is of great importance. That President Trump's executive order #13769 was established to protect America and all lawful residents, denizens, and citizens therein, while still leaving open avenues for legal immigration that is designed to protect against terrorist threats from outside the U.S.

The proposed submission by Kim will assist the Court in addressing crucial and

dispositive issues which have not been heretofore addressed during oral argument nor incorporated into any of the filings.

~~Kim's assistance to the court properly sets forth “ideas , arguments, theories,~~
insights, facts or data that are not to be found in the parties' briefs.” See **Voices for Choices v. Bell tel. Co.**, 339 F.3d 542, 545 (7th Cir. 2003).

Kim and his sons are affected by the TRO issued in the case below as now all of America is exposed to greater danger because of the TRO and Judge Hobart was and is not disrupting the new status quo established by the President with his Order.

CONCLUSION

For the foregoing reasons Kim requests leave of the Court to file the proposed submission amicus curiae in support of Defendant-Appellants Donald Trump et al.

DATED this 13th day of February, 2017.



KIM BLANDINO PRO SE

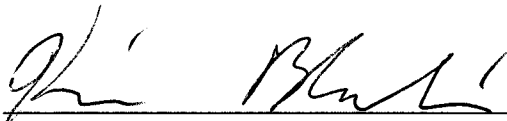
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CERTIFICATE OF COMPLIANCE

Pursuant to FRAP 32(a)(7)(C)(i) the undersigned individual, appearing pro se, certifies that this submission:

- (i) Complies with the typeface requirements of Rule 32(a)(5) and the type style requirements of Rule 32(a)(6). It has been prepared using OpenOffice Writer and is set in Times New Roman with a font size of 14-point,
- (ii) Complies with the length requirement of Rule 27(d)(2) because it contains 945 words.

DATED this 13th day of February, 2017.



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CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2017, a true and correct copy of the foregoing: **MOTION** with first class postage prepaid has been deposited in the U.S. Mail in Santa Ana, California, and properly addressed to the persons whose names and addresses are listed below.

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DATED: February 13, 2017



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