

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

EMILIANO SANTIAGO,
Petitioner-Appellant,

v.

DONALD H. RUMSFELD, Secretary of
Defense; LES BROWNLEE, Secretary
of the United States Department of
the Army (Acting); RAYMOND
BYRNE, Acting Adjutant General of
the Oregon National Guard; DAVID
DORAN, Captain, Detachment One,
Company D, 113 Aviation Unit
Commander,
Respondents-Appellees.

No. 05-35005
D.C. No.
CV-04-01747-OMP
ORDER

Appeal from the United States District Court
for the District of Oregon
Owen M. Panner, Senior Judge, Presiding

Argued and Submitted
April 6, 2005—Seattle, Washington

Filed April 6, 2005

Before: William C. Canby, Jr., Richard C. Tallman, and
Johnnie B. Rawlinson, Circuit Judges.

COUNSEL

Steven Goldberg, Esq., Goldberg, Mechanic, Stuart and Gib-
son, LLP, Portland, Oregon, for the appellant.

H. Thomas Byron, III, Department of Justice, Washington, DC, for the appellees.

ORDER

The appellant's urgent motion for injunction pending appeal, which seeks to enjoin his deployment to Afghanistan, is **DENIED**.

The judgment of the District Court is **AFFIRMED**. An opinion or opinions will follow in due course.

PRINTED FOR
ADMINISTRATIVE OFFICE—U.S. COURTS
BY THOMSON/WEST—SAN FRANCISCO

The summary, which does not constitute a part of the opinion of the court, is copyrighted
© 2005 Thomson/West.