

**FOR PUBLICATION**

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

SOUTH BAY UNITED PENTECOSTAL  
CHURCH, a California nonprofit  
corporation; BISHOP ARTHUR  
HODGES III, an individual,  
*Plaintiffs-Appellants,*

v.

GAVIN NEWSOM, in his official  
capacity as the Governor of  
California; XAVIER BECERRA, in his  
official capacity as Attorney General  
of California; SONIA ANGELL, in her  
official capacity as California Public  
Health Officer; WILMA J. WOOTEN,  
in her official capacity as Public  
Health Officer, County of San  
Diego; HELEN ROBBINS-MEYER, in  
her official capacity as Director of  
Emergency Services; WILLIAM D.  
GORE, in his official capacity as  
Sheriff of the County of San Diego,  
*Defendants-Appellees.*

No. 20-56358

D.C. No.  
3:20-cv-00865-  
BAS-AHG

ORDER

Filed December 23, 2020

Before: Kim McLane Wardlaw and Richard C. Clifton,  
Circuit Judges, and Timothy Hillman,\* District Judge.

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### ORDER

Appellees are directed to file an opposition to Appellants' Emergency Motion for an Injunction Pending Appeal on Thursday, December 24, 2020, by 9:00 A.M. Appellants' optional reply brief is due on Thursday, December 24, 2020, by 12:00 P.M.

Given that the issues presented in this appeal “strike at the very heart of the First Amendment’s guarantee of religious liberty,” *Roman Catholic Diocese of Brooklyn v. Cuomo*, 141 S. Ct. 63, slip op. at 6 (2020) (per curiam), and the gravity of the pandemic’s impact on Southern California, in particular, we order Appellants’ appeal from the district court’s Order Denying the Motion for a Temporary Restraining Order or Preliminary Injunction expedited. *See* Fed. R. App. P. 2; Ninth Circuit R. 3-3. The briefing schedule shall proceed as follows: the opening brief and excerpts of record are due on or before December 31, 2020; the answering brief is due on or before January 7, 2021; and the optional reply brief is due on or before January 11, 2021.

This appeal is set for virtual oral argument at the Richard H. Chambers U.S. Court of Appeals Building, Pasadena,

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\* The Honorable Timothy Hillman, United States District Judge for the District of Massachusetts, sitting by designation.

California, on January 15, 2021, at 1:00 P.M. Each side is allotted 30 minutes for argument.

**IT IS SO ORDERED.**